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Desegregation Debate

Replies to Alexander M. Bickel

David Tyack Gary Orfield
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Chicago Howler —*Harry Kalven, Jr.*
Gifts to Greeks —*Zalin B. Grant*
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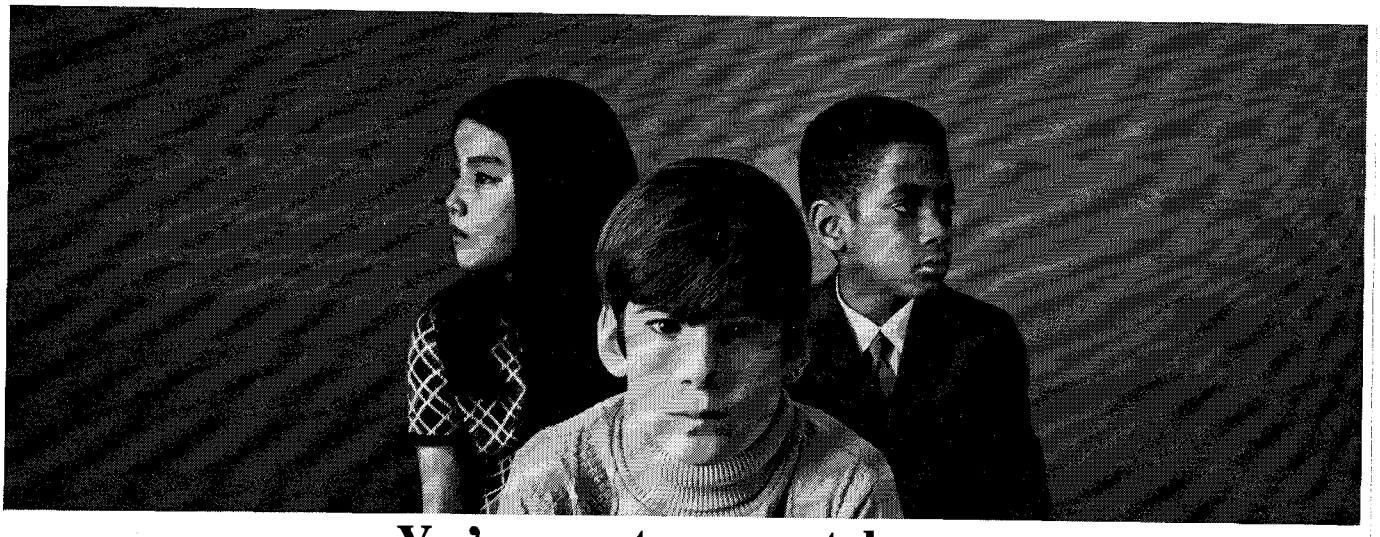

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Earth in the Shadow of the Moon—The Solar Eclipse. Special covers total eclipse of sun. Saturday, March 7 (1-2 pm).

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Those Incredible Diving Machines. The Undersea World of Jacques Cousteau—Documentary on man's methods of mastering ocean depths. Tuesday, March 10 (7:30-8:30 pm).

The Mystery of Pain. Who, What, When, Where, Why—Study of man's most common ailments. Tuesday, March 10 (10-10:30 pm).

The Young Americans. Popular young singing group performs contemporary music. Thursday, March 12 (9-10 pm).

Three Boys on Safari. Mrs. Ted Yates and sons on journey of discovery in East Africa. Friday, March 13 (7:30-8:30 pm).

Neither Are We Enemies. Hallmark Hall of Fame—Drama of a generation gap in Judea at time of Christ. Friday, March 13 (8:30-10 pm).

The Switched-On Symphony. Los Angeles Philharmonic traces today's pop sounds to their roots in the classics. Saturday, March 14 (7:30-8:30 pm).

The Ballad of the Iron Horse. How the railroads united the nation. Sunday, March 15 (7-8 pm).

David Copperfield. Dickens' classic with Laurence Olivier, Ralph Richardson, Michael Redgrave, Richard Attenborough, Emlyn Williams, Wendy Hiller, Ron Moody. Sunday, March 15 (8-10 pm).

To Confuse the Angel. Prudential's On Stage—A doctor faces a crisis of faith. Starring Lee J. Cobb, Blythe Danner. Sunday, March 15 (10-11 pm).

Horton Hears a Who. Dr. Seuss's animated fantasy. Thursday, March 19 (7:30-8 pm).

Mission Possible: They Care for Their City. Examination of San Francisco and the ways of fighting air pollution, housing problems, urban ills. Friday, March 20 (10-11 pm).

Archie and his New Pals. The gang from Archie comic strip. Sunday, March 22 (7:30-8 pm).

Save on Your Taxes with Sylvia Porter—Parts 1 and 2. "Now"—Miss Porter answers tax questions. Mondays, March 23, 30 (10:30-11 pm).

Hot Dog. American Rainbow—How Americana is manufactured. Saturday, March 28 (11:30 am-12:30 pm).

The Call of the Deep. The Undersea World of Jacques Cousteau—A survey of Cousteau's research. Saturday, March 28 (7:30-8:30 pm).

New York Philharmonic Young People's Concert. Leonard Bernstein conducts Beethoven's "Fidelio: A Celebration of Life." Sunday, March 29 (4:30-5:30 pm).

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Monday through Friday: Sunrise Semester/The Today Show/Captain Kangaroo/Sesame Street

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Saturday: The Banana Splits Adventure Hour/Jambo/ABC's Wide World of Sports

Sunday: Lamp Unto My Feet/Look Up and Live/Camera Three/Bullwinkle/Discovery/Frontiers of Faith/Face the Nation/Meet the Press/Directions/Issues and Answers/G-E College Bowl/Wild Kingdom/The Wonderful World of Disney

Note: This is, necessarily, a partial listing. Time (NYT), titles and casts of these national programs are subject to change. Please consult your station listings; check also for noteworthy local programs.

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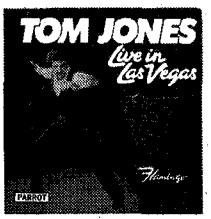

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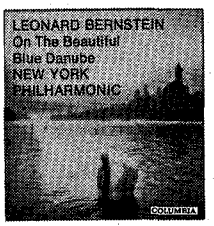

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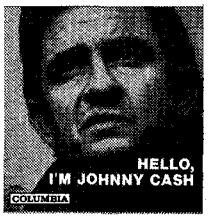

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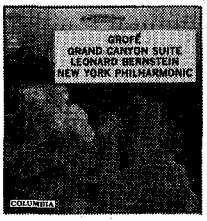

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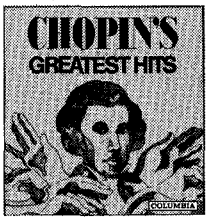

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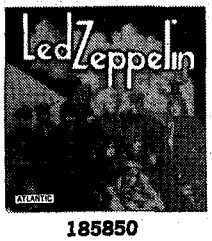

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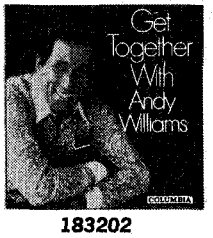

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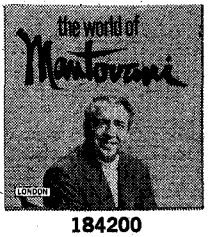

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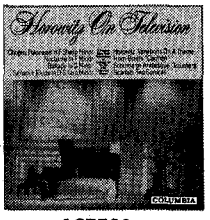

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Elections Coming Up

Just to show how reckless this reckless column is, let me say that I think the Democrats have a reasonable chance of holding their own this fall. If there is one copper-riveted cliché in Washington right now it is how badly off the poor, disorganized Democrats are against the skillfull-willfull, cagey-sagey, tricky-dicky in the White House. To which I say, "phooey." After all, what have the Democrats got against them except no money, no leader, and very few ideas? Lots of elections have been won handily with worse handicaps than that. And besides that, folks, remember that this is a *midterm* election.

To begin with, consider one statistic. Only once since the Civil War has the President's party at a midterm election *made a net gain of House seats*. The exception was 1934. Sounds incredible, but it's a fact. It's because a President normally brings in other candidates on his coattails. He creates a trend and it helps his party. But then after two years, the home folks turn back to everyday local affairs again and there is a bounceback to former alignments. In recent years this bounceback at midterm away from the President has averaged about 30 House seats.

Of course, Mr. Nixon may beat the jinx. Franklin Roosevelt did it in 1934 when the post-depression storm was still howling. And if they want to, Republicans can point out that the bounceback is smaller the smaller the Presidential victory was two years before, and that in 1968 there was hardly a victory at all. For the first time in generations, a new President failed to win a majority in either house. Kennedy won by a squeaker, too, in 1960, and although in 1962 he punctually lost seats, he lost only four. So it's just possible the Republicans will break the hoodoo this fall.

It is very hard, however, for a President to transfer his popularity to a local candidate at midterm. General Eisenhower sent Mr. Nixon out to help him try to do it in 1954; the Vice-President ranged the country using harsher names than Mr. Agnew. Result – the GOP lost 18 seats. And, again in 1958 – 47 seats.

The Senate this fall may be a different story. Senators have a higher profile than House members and this year prominent liberals are exposed. All the Democratic "Goldwater babies" are up – the Democrats who were Mr. Goldwater's gift to the nation in his unsuccessful effort in 1964. Twenty-five seats held by Democrats and only 10 by Republicans are at stake, so Democrats are more vulnerable. If the Republicans can make a net gain of 7 seats they will be able to organize the upper house with the Vice President's deciding vote.

In the races for state governorships it is the Republicans who are exposed. Some 35 seats are up – 24 Republicans and only 11 Democrats. It is probable that the Democrats will make some gains, not necessarily for ideological reasons but because governors are always in trouble. It is their occupational hazard that they can't let their states go bankrupt and have to raise taxes, and no painless way for this has ever been discovered.

Our guess is that it may be hard to say who "won" the fall election after it is all over. This runs contrary to our colleagues, nearly all of whom say, with Stewart Alsop, "Everybody agrees that the Democratic Party is in trouble." In trouble nationally, yes, but this is not a Presidential election.

For midterm purposes we doubt that Mr. Nixon can create a strong enough trend to influence the result greatly. There have been seven special elections since 1968; the Democrats have won 5, including 3 seats formerly held by Republicans.

Mr. Nixon's personal popularity is supposed to be high. Very likely it is, but the polls show nothing spectacular. The latest Gallup poll shows a gain of three points, to 66 percent. This is all very well, but at the end of their first year Gen. Eisenhower was 71 percent, Mr. Kennedy 77 percent, and Mr. Johnson 69 percent. A Harris poll last week gave Mr. Nixon a rating of 58 percent, down 4 points from December. These slight fluctuations up and down are not very important one way or another.

It is pointed out that 65 percent support the Nixon policy on Vietnam (Gallup). So far as the Nixon policy is for a pull-out, we support it, too. But is this rating an asset or a liability? If the war continues for the next eight months (as we assume it will) some of those in November will be impatient.

Actually, however, we doubt whether Vietnam will be a major factor in most of the 500 or so top local contests this fall. Much more important will be unemployment and inflation. We think the U.S. is in a recession (whether shallow or deep we don't know) and that by fall it will have thrown a big scare into a lot of average citizens who will be tempted to take it out, rightly or wrongly, on the President's party.

Mr. Nixon's strategy has evidently been to create a set of anxieties among the white middle-class that would bring them to his side. The Administration's political philosopher, Kevin Phillips, specifically says the Republicans should encourage just enough black voting in the Confederate South on the Democratic side to bring the whites over to the GOP. Andrew Hacker, in a perceptive article in *Commentary*, says that Mr. Nixon has swum with "ethnic polarization" as Phillips calls it. It is a scapegoat strategy of winning over what Alexis de Tocqueville called "the eager and apprehensive men of small property."

In 1968 Mr. Nixon let it be known that he opposed the Whitten amendment against busing. Last summer Attorney General Mitchell told House members that Mr. Nixon didn't oppose it. A few weeks later HEW Secretary Finch told the Senate he did. And on Feb. 17 House GOP leader Ford told reporters the President supported the "main thrust" of the amendment.

Mr. Nixon showed equally fast footwork on the Stennis amendment. A statement came from the White House that Minority leader Hugh Scott felt was against the amendment, but that Sen. Stennis felt was for it. Both were right. Politicians chuckled at one sentence saying that it was "unfortunate" that "confusion has arisen over the Administration position . . ." That came, they felt, from some artist who really enjoyed his work.

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And Now Laos

The funeral urns that give the Plain of Jars its name are a somber reminder that American military entrapment in Laos is just what we don't need, especially when the Administration is patently failing to disengage at reasonable speed from Vietnam. For months now, US planes including B-52s have been laying thick carpets of explosives on eastern Laos. In September, very heavy American bombing of the Plain of Jars enabled Laotian government forces to capture areas the Pathet Lao had held for six or seven years. On February 16, unnamed officials in Washington were assuring reporters that the intensive bombing – the current rate is over 16,000 tons monthly – had "substantially improved" the military situation of the Laotian government. Almost immediately, the Laotian government troops had to fall back and the Plain seems to have been lost again to the Pathet Lao and their North Vietnamese allies.

This country has lost at least 100 aircraft and their air crews apparently for nothing. Laotian government troops are unable to prevent the Pathet Lao and the North Vietnamese from recapturing the Plain of Jars; they lost control of it in September only because the sudden American air assault took them off guard. Since at least 1964, the two sides in the Laotian civil war have annually gained a little ground on the Plain and lost a little ground, see-saw fashion, without the overall position changing. (The civil war itself has been going on for 20 years.) But there was never any doubt that if they wished, the 40,000 North Vietnamese who are illegally in Laos could proceed on from the Plain to conquer the whole country. They did not choose to, for their real interest and the reason for their presence is not to overrun the country and toss out the royal Laotian government, it is to protect the network of trails in eastern Laos by which North Vietnam supplies and replenishes its forces in South Vietnam. The ill-fated American attempt to make the Laotian government a present of the Plain has no relevance to the Ho Chi Minh trails, which enter Laos from North Vietnam southeast of it. Our forces have nevertheless jumped into the thick of the Laotian fighting. American military "instructors" in command of American-armed Meo tribesmen have been thrown in on the side of the Laotian government troops, against the Pathet Lao and the North Vietnamese. All this is taking place under a thick cloud of official silence or disclaimers. In an

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anguished letter to Senator Frank Church, an air force pilot in Laos wrote: "Why is it, Senator, that the American public is not permitted to know what's going on in Laos, and the extent of American sacrifice there? American planes are lost every day [and] dozens of our airmen are killed or missing each week. Yet not a word to our people." The young man protested that his comrades were dying in "a futile, hopeless and nameless contest." Last week, American correspondents in Laos attempted to break through the secrecy. They managed to reach an airfield where they saw a small "army" of Americans, and where US planes were briskly taking off at the rate of one a minute (others fly over Laos from Thailand and South Vietnam). The US Ambassador, G. McMurtrie Godley, in a none-of-your-business statement, said that "the American mission has lost any interest in helping out the press whatsoever (sic) because of what happened this afternoon."

Laos is pure opera bouffe, or would be if men were not needlessly dying there (one good reason why they should *not* be dying there). The North Vietnamese still have an embassy in the Laotian capital of Vientiane, as do the Pathet Lao, the Chinese and the Russians. The prime minister of Laos, Prince Souvanna Phouma, is the half-brother of the Pathet Lao leader, Prince Souphanouvong. In the sixties, Souvanna Phouma heatedly declared he could never forgive America for having "betrayed me and my government." He insisted that "the Americans don't understand Laos, they have regard only for their own interests." He couldn't have been more wrong as to the latter; what has been betrayed in Southeast Asia these past few years is any real American interest.

The solution in Laos is a return to the 1962 coalition government that included both Princes, as has been suggested by Senator Mansfield. But that hinges on a similar arrangement for South Vietnam. Only then will the 40,000 North Vietnamese troops who are in Laos to guard the Ho Chi Minh trails leave. The present contest between American air power and North Vietnamese troops, with the Laotian forces on both sides being no more than pawns, will, if continued, sink this country waist-deep in another senseless Asian war, all congressional warnings and prohibitions notwithstanding. And then we shall hear again that we can't "bug out."

The return of Prince Souphanouvong and the three other Pathet Lao cabinet ministers to the coalition government they were forced out of (with US help) in 1963 would probably be acceptable to Prince Souphanna Phouma. He has had several secret meetings with his half-brother in the past year (at the Russian embassy in Vientiane). A resumed coalition could point the way to a similar shift in South Vietnam, where as Senator McCarthy said on February 19, "Serious negotiations cannot proceed unless we are willing to support a coalition government [whose task] would be to arrange a cease-fire and to assure the orderly withdrawal of foreign forces." That compromise would be better than awaiting a spring or early summer enemy offensive, mounted as American military strength slowly ebbs. It would also be better than continuing to prop up in South Vietnam a government that last week further disgraced itself by sentencing one member of parliament to death and another to 20 years' imprisonment, without anything resembling a fair trial.

President Thieu may have persuaded himself that he can do what he pleases without seriously risking a loss of confidence in his government by the American public. Mr. Nixon may think so too. They would be prudent to think twice. A sampling of New Mexico's first congressional district by Republican Rep. Manuel Lujan Jr., who supports "Vietnamization," convinced Lujan that his constituents want out of the war. Only 1.2 percent favor continuing the fighting at the present level; 18.6 percent want immediate withdrawal of all our armed forces. This costly blunder in Laos will increase discontent, especially if official secrecy persists. Senator Symington reminds us that Mr. Nixon told everyone last November that "one of the reasons for the deep division in this nation about Vietnam is that many Americans have lost confidence in what their government has told them. . . . The American people cannot and should not be asked to support a policy which involves the overriding issues of war and peace unless they know the truth about that policy." True then, true now.

This Ecology Craze

"A resolution urging the mayor to declare March 21 as Earth Day won unanimous approval yesterday from the Board of Supervisors. The proposal, according to Supervisor Roger Boas, calls for a day of friendliness and dedication to protection of the environment. It is the brainchild of an Oakland group called WE, Inc. Supervisor Peter Tamaras said it would be a time to 'stop taking our earth for granted' and start taking steps to end its pollution.

"WE, Inc., has proposed that Earth Day – coinciding with the vernal equinox – be observed with a two-hour general cleanup campaign from 9 a.m. to 11 a.m. and a silent hour for 'quiet contemplation on the wonders of the earth' from 11 a.m. to noon.

"There was no opposition from the board. . . ." – *San Francisco Chronicle, February 10, 1970*

For a President whose primary interests are saving a buck and not rocking the boat, the ecology craze is heaven-sent. Mr. Nixon can make a lot of noise on the stairs and never have to come into the room.

Rallying around the ecology banner is the biggest assortment of ill-matched allies since the Crusades – young and old, radicals of left and right, liberals and conservatives, humanists and scientists, atheists and

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deists. If blacks and, in fact, the poor of all colors are missing, who's to notice? *Their* problems with the environment, having to do with things like the next meal and rat-free housing, are too mundane to be subsumed under so grand a sobriquet as "quality of life."

In keeping with his pinch-penny philosophy of managing the affairs of a great nation, the Nixon approach to preserving the chain of life is to call for what amounts to a national anti-litter campaign. (As Mrs. Nixon remarked following the State of the Union message: "It was so inspiring. It makes me want to go home and clean up my back yard.")

At the other extreme, some of the young idealists, who have lately turned their energies from the war, poverty, and race issues, talk as if nothing short of stopping all production (and reproduction) and consumption can do the job of reclaiming the natural environment.

The catchall character of the ecology concept provides both its attractiveness and its danger. God knows this country has needed something to unify it for a long time, and the beauty of ecology is not only that nobody can knock it – who's against life? – but also that it can accommodate people with an infinite variety of styles. Anything fits that has to do with population, pollutants of land, sea, or air, aesthetics, pesticides, institutional impersonality, Big Brotherism – anything that can somehow be related to the "quality of life," and what can't? So everybody from Weathermen to Shirley Temple Black can march in the same parade even though they hear different drummers.

Besides, everybody can do his bit in his own way. The Silent Majority can contribute by not having babies and by forming car pools. Aggressive and ambulatory youths can picket major industrial polluters and refuse to drink Cokes from throw-away bottles. Those with taste for martyrdom can chain themselves to a threatened redwood or float on soon-to-be-dammed-up streams.

The trouble with ecology, though, is that it lends itself so readily to those whose motivations are either expedient, as in the case of Nixon, or shallow, as in the case of a lot of citizens who have belatedly discovered Mother Earth. The Administration proposals are so weak as to be almost counter-productive, as Senator Edmund S. Muskie has pointed out. And a lot of other people who are longer on sincerity but shorter on wits can make grand and totally meaningless gestures that vent their emotions and advance the cause not one inch. (Students at San Jose State College in California recently buried a brand-new, $2500 automobile and are doubtless still congratulating themselves on their great contribution to preserving the sacred balance of nature.)

Worst of all, of course, the ecology binge provides a cop-out for a President and a populace too cheap or too gutless or too tired or too frustrated or too all of them to tangle harder with some old problems that have proved resistant and emotionally ungratifying to boot. But the cities are still dying, and not just from pollutants; the educational system still needs a real shaking up, and not just in the direction of sex education; the races still can't get along together; the vicious cycle of poverty remains unbroken.

The nation is now in a self-gratifying frenzy over ecology. The short-term payoff from the current preoccupation is likely to be profitable for the Administration. But when there is no *real* payoff – as the shallowness of the Administration's commitment guarantees there will not be – the nation will emerge a little more disillusioned, a little more tired, with a little less heart for facing the problems that will tear it to shreds if they are not met head on, and soon.

Post Script

The Vice President was exquisitely selective in denouncing *The Washington Post* for its ownership of a newspaper, magazine and television and radio stations "all grinding out the same editorial line." For his remarks last November were made in Alabama, where the Newhouse newspaper chain owns a number of stations and papers, and which therefore would have been an appropriate target for an anti-media monopoly diatribe. Mr. Agnew didn't mention that, it was widely thought, because the bone in his throat was not the "issue" of cross-media ownership, but *The Washington Post* itself.

FCC Commissioner Nicholas Johnson also dislikes monopoly. He believes that "short of bombing the RCA building" the best way for the public to improve television is to support public-interest challenges to station licenses when, every three years, they come up for renewal.

The case of Miami station WLBW, channel 10, concerns both Mr. Agnew and Commissioner Johnson. Here is a challenge to the broadcast license of a station that's owned by *The Washington Post*. The challengers are a group of Richard Nixon's friends.

The Washington Post company, which owns *Newsweek*, television and radio stations in Washington, a television station in Jacksonville, Florida, and a radio station in Cincinnati, bought WLBW-TV last spring for $18 million from the L. B. Wilson company, and its application to operate the station was approved by the Federal Communications Commission in October (Nicholas Johnson absent and not voting). The management has not, it is perfectly obvious, had a chance to prove that it is operating the station in the

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public interest. Its license came up for routine renewal February 1, however, and it is required to defend its record against a competing bid from Greater Miami Telecasters, Inc. It would be easy to oppose renewal of the *Post*'s license on the general proposition that the company owns too much already and its tentacles need trimming. But the challengers, Florida Republican businessmen, complicate the question. The president of Greater Miami Telecasters is W. Sloan McCrea, a former business partner of President Nixon currently associated in commerce with Nixon's good friend Bebe Rebozo. Stockholders include William D. Pawley, a former ambassador to Brazil who raised funds for the Goldwater Presidential campaign when FCC Chairman Dean Burch was Republican National Committee chairman. Pawley is also a personal friend of the President's, as is Frank E. Mackle Jr., a real estate developer and stockholder in Telecasters.

The challenging application does not raise doubts about the *Post*'s performance in Miami, but is based rather on the local roots of the challengers, and on promises to expand public service programming (Nicholas Johnson is big on local control and public service). A source close to Johnson affirms that, unpleasant though it may be, Greater Miami Telecasters do "pass the usual test as 'community leaders,' have no other media interests and on balance are more related to the community than *The Washington Post* which is sort of a national holding company."

If Greater Miami Telecasters' application is in order the FCC under its rules will have to set a hearing. The hearing process may take as long as two years. Meanwhile Vice President Agnew's strictures against the *Washington Post* will appear curiousier and curiouser, as Presidential cronies work to take control of a *Post* property. Anything the *Post* does to prove itself in Miami in the coming months will not affect the outcome, since under FCC rules only the two month prechallenge operating record of WLBW will matter: "If, after the competing application is filed [the licensee] 'upgrades' his operation, no evidence of such upgrading will be accepted or may be relied on."

Spring Rerun

The student antiwar conference held over Valentine weekend in Cleveland was called "historic" because of its numbers – over 3500 people. Beyond size there was little to commend it. "This war can't be ended unless there's an anti-imperialist revolution," said a critic of one-day mass actions. Abandon hope, all ye who want to get out of Vietnam!

One workshop discussed having a rock concert on a Seminole reservation. Another debated whether to strike Coca-Cola and/or the record industry. An exception to the general inanity was the GI workshop which explained how dissenting GIs could protect themselves – setting up contacts with the base Judge Advocate General's office, relying on group dissent, which is often ignored, rather than individual protest, which the Army feels safe to prosecute. At the plenary sessions speeches tended to rise to the ceiling. Dick Gregory caused pandemonium by saying, "Dick Nixon is probably one of the slimiest, most degenerate bastards. . . ." A small group of anarchists sailed paper airplanes. On Sunday the body voted overwhelmingly for mass demonstrations April 15.

The Moratorium and the New Mobilization also have plans for April – taxpayer rallies at Internal Revenue offices on the 15th. The New Mobilization will hold work teach-ins the week before, and the Moratorium is calling for a nationwide fast April 13-15.

Bugging Detroit

The auto industry is up against three problems: a decline in sales, a Government mandate to produce pollution-free engines, and competition from imports. The most grievous of these may be the third.

Almost one in eight autos sold in the US last year was manufactured abroad; one out of almost seven if you count the 170,000 Ford Mavericks produced in Toronto, Canada (70 percent of Maverick production is in Canada, which causes importers to quip that the popular auto "is the second-largest import, ranking only behind Volkswagen"). Even the most enthusiastic "Buy American" executive in Detroit or Dearborn concedes that foreigners will grab an even bigger share of the market in '70.

Once before, in 1959, imports made headlines. Led by VW's "Beetle" or "Bug," they took 10.2 per cent of the car market. In those days, Detroit was turning out what George Romney, then head of American Motors and top salesman for its compact Rambler, called "gas guzzling dinosaurs." The Big Three in Detroit retaliated with their own compacts, which since have grown bigger, gutsier, more expensive. Americans liked Detroit's new compacts; moreover, the imports of a decade ago were poorly put together, with not enough power, and came in a limited number of models that were hard to service. But overseas producers have learned their lessons, and the Japanese have joined the invasion.

Now, the leading imports – still led by VW – have a full line of models in various shapes and horsepower, with an expanding string of dealerships and service outlets for support. VW sold 509,000 cars in the US in

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'69; its sales have risen for 20 consecutive years. This year the VW firm will have a new and larger car for sale here, as well as the Porsche. As the trade journal, *Automotive News*, put it, VW now has "three lines of cars . . . with rear engines, front engines and mid-engines. There are rear-wheel drive and front-wheel drive units. There are four cylinder as well as sixes."

Nonetheless, the big story is the Japanese, especially the Toyota, which has come from virtually nowhere to sell 120,000 units in the US last year. The company is aiming for 170,000 in '70, and there are men in the industry who think it's just a matter of time before Toyota outsells VW. Up to now, Toyota has concentrated on the West Coast, where one in every four cars sold is an import. The company is expanding its models, will sell a light truck in the States soon, and is rapidly building a nationwide dealer and service network. Datsun, the other major Japanese import, is gaining, too. (The only major import made by a US firm is GM's Opel; it ranks third, behind VW and Toyota. Datsun comes in fourth.)

What's the reason behind the imports' success? Some owners swear they're better built, although that point may be debated. They're certainly easier to maintain and operate, less expensive to repair because they don't have as many parts and chrome. And they cost less on the average. Also, the imports – mostly small and inexpensive to run – make dandy second or third cars. The importers say their products have more style and class; again debatable. In any event, Detroit will counter with its own "minis." American Motors already is out with its small car; Ford and GM will introduce their models this fall; Chrysler apparently is a year behind. This time, the foreigners are better prepared for battle. Some already have pollution-free engines.

Up to now, Detroit – both the industry and the United Auto Workers – have been free-trade minded. The industry, the Big Three at least, are heavily invested in Europe and Latin America (they are fighting to get into Japan), and consequently fear retaliation if they suggest quotas or higher tariffs. But one hears mutterings about "unfair" foreign competition for the first time, and if Henry Ford and James Roche (the boss at GM) ever join steel, textiles and a host of other industries in favoring trade restrictions, the country could have a real change of heart regarding trade. Protectionist sentiment remains strongly latent on Capitol Hill and in many corporate board rooms.

There also is evidence that the import surge will play a role in this year's labor negotiations between the automakers and Walter Reuther's union. Detroit will be fighting to hold the price line, especially on its new "mini" cars, to better meet overseas competition. Also, a few men in the auto capital are beginning to think that some imports *are* better made, and consequently last longer and need fewer repairs. To offset this, Detroit will want a bigger hand over what its labor relations men term "working conditions and productivity per employe." GM's brass seemed to be saying something similar in their annual stockholders' report in discussing the company's intention to "bring wages and national productivity into balance." Production standards were the main issue at the recently ended strike in GM's Flint, Mich., plant – the longest in company history. One Detroiter suggests that bargaining with the UAW, from the company view, will center around a present contract paragraph which reads: "A continuing improvement in the standard of living of employes depends upon technological progress, better tools, methods, processes and equipment, and a cooperative attitude on the part of all parties in such progress. . . . To produce more with the same amount of human effort is a sound economic and social objective."

To the UAW, this smacks of more work for less pay, and if the industry persists in a radically different set of work standards, a strike could set in and possibly last a long time – just when, according to some economists, the country will be coming out of a slump and need continuing auto production as a prop to economic improvement.

Prof. Ross J. Wilhelm, of the University of Michigan's Graduate School of Business Administration, has been keeping an eye on the auto industry for years. This is how he puts it: "The task of the American automobile industry today is much more difficult than it was in the 1950s. The fact is that the new foreign cars being imported are better designed for the American scene than were the old ones. While the automobile manufacturers are producing small cars . . . to meet foreign competition it is doubtful that the design and price of the American cars can be the sole answer to foreign competition. It seems most likely that there will have to be a major change in the relationship between the typical automobile worker in the US and the manufacturers if we are to keep the American automobile industry in the US. Because of this need it seems likely that working conditions and productivity per employe will be the key issue in our auto contract bargaining in the 1970s rather than the simple question of wages and fringe benefits."

Are you listening, Walter?

Robert W. Dietsch

Consumer Be Damned

Like the Supreme Court of Mr. Dooley's day, President Nixon generally follows the election returns, and anticipates the ones to come. A recent example is the President's blunting of the recommendations given to him February 9 by his Cabinet Task Force on Oil

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Import Control. The task force majority headed by Secretary of Labor George Shultz wanted to get rid of the 10-year-old import quota system, under which Americans pay an estimated $5 billion a year more for oil than necessary. It favored a prompt switch to a preferential tariff system that would let in more cheap foreign oil – not much, but some. Mr. Nixon decided to stick with the quota system, to the great satisfaction of the oil industry and the oil-producing states of the South and Southwest.

Politically, the President's action was adroit. He delighted a proven and productive source of Republican campaign funds. There is no reason to believe he would have derived a corresponding benefit by siding with consumers, since most voters are unaware that they pay a few pennies extra at the gasoline pump or to the home-heating fuel dealer because the American market is shielded from Middle Eastern oil; this, despite the valiant efforts of Senator Philip A. Hart's anti-trust subcommittee, which has been exploring the labyrinthine ways of international oil. Hart and John M. Blair, chief economist for the Hart panel of the Committee on the Judiciary, have chased their quarry to London and elsewhere, nailing down the difference between what oil costs in other countries and what it costs here.

President Nixon created the Shultz task force last March, at the suggestion of the American Petroleum Institute and its board chairman, Michael L. Haider of Standard Oil Co. The oil industry was worried about an application for a free oil trade zone at Machiasport, Maine, which it feared might breach the dike against infusions of low-cost foreign oil. New England lacks oil wells, pays dearly for heating oil and was seeking access to Libyan crude. Secretary of Commerce Stans put off action on Machiasport pending completion of the Nixon study. The Shultz group, ably staffed, labored for nine months and in its 399-page report took the most searching look yet at oil's protective mechanism. Although nothing was said officially until the White House released the report along with the President's statement February 20, it's said that Secretaries Stans and Hickel – the "Stickel" group – were defending the status quo, while Shultz and the majority favored throwing out quotas and switching to a tariff system. A frightened oil lobby called out its troops. Attorney General Mitchell, whose anti-trust division had denounced the quota system, showed up at a decisive December session of the task force, it is reported, warned of job losses in the oil fields, and advised Shultz not to put President Nixon "in a box."

In the final report, the majority said the present import control system is no longer acceptable. It held that a gradual liberalization of import controls would not seriously weaken the national economy and that "national security will be adequately protected by adopting as a first step a revised control system and a modest immediate reduction in import restraints." It suggested a system of tariff restrictions effective no later than next January 1, with a tariff that would result in a reduction of the wellhead price of crude oil in Louisiana from $3.30 to about $3 a barrel – that is, a cut of some 30 cents a barrel. If there were no import controls at all, the price would fall to the world price of about $2 a barrel. Nothing of that sort is contemplated, however.

Stans and Hickel, joined by the chairman of the Federal Power Commission, held in a separate brief that a major change in the quota approach was "neither desirable nor timely," and would make the United States dependent on insecure foreign supplies. The minority warned of economic loss to the industry, to its 1,200,000 employees and to the 31 oil- and gas-producing states.

President Nixon blandly called attention to the divergence of views in the report. He took no action on the crucial issue – the recommendation for a switch from quota to tariff. He did not even mention it. He set up a new "Oil Policy Committee" under chairmanship of the Office of Emergency Preparedness director, making Attorney General Mitchell a member of it and leaving Shultz out. He ordered diplomatic efforts to work out energy understandings with Canada and Mexico, and directed the Secretary of State to discuss the task force findings with interested nations all over the world. He anticipated, he said, that more information would come from congressional hearings.

When the White House staged its briefing for newsmen on the complex and long-heralded report, Secretary Shultz was on the West Coast making a speech, and the task force executive secretary was teaching a class at Harvard. The briefing officer, Peter M. Flanigan, sought to give the impression that Mr. Nixon was doing exactly what his task force had recommended, which was untrue. Nobody could say how long the international talks and further study would take. "The consumers have been sacrificed once again to the interests of big oil," said Senator Proxmire.

William K. Wyant, Jr.

Reveille Out West

Los Angeles

There are plenty of middle- and golden-agers here who can reminisce about the days when the City of the Angels was scented with orange blossoms. Today, as everyone knows, Los Angeles is just slightly above cesspool level and sinking fast, and the rest of the

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state is not far behind. Santa Barbarans are waiting for the next tide of raw petroleum; Yosemite National Park in the summer is little more than a sylvan slum; the San Joaquin Valley, one of the world's most productive farmlands, is afflicted with a "smaze" that was heavy enough on more than fifty days last year to stunt plant growth. It is as if California, in its headlong assault on the environment, is bent on making up for the East's head start.

Given the utter abandon with which this state has poisoned itself, it at first seems an unlikely proposition that California – and not New York or Massachusetts or Delaware – will be the one to come up with the antidote. But if there is cause for hope anywhere, it is here. First off, Californians understand one important verity – that they are masters of their own fate. If you are in Wilmington and an overshoe or worse comes floating down the Delaware, you can do little more than curse the Pennsylvanians and the Jerseyites; even if you can trace the culprit, the red tape of an interstate pollution case is strangling. Californians, however, know that they have only themselves to blame. (A noteworthy exception is the Santa Barbara mess, which was created in Washington.) The scant likelihood of the government's reversing itself in favor of the Santa Barbarans is evident if you consider that buying back the oil leases and compensating the oil companies would all but do away with Mr. Nixon's slender budgetary surpluses. Moreover, Californians are aware that their large population, while at the root of the problem, is at the same time an asset. California is too great a market to be written off. The auto industry knows this, and the Detroit lobbyists pay respectful attention when the legislators in Sacramento start talking about doing away with the internal combustion engine. In Rhode Island it would be a joke, but not here.

Among the people of the West there are powerful stirrings. The San Joaquin farmers, the surfers, the owners of hilltop houses who can't see the valley floor any more, the outdoorsmen, the disillusioned boosters, the Okies who got rich, the students, the old people who thought they could bask in the warm sun and caught respiratory diseases instead – all these people are angry. The familiar political alignments are being scrambled almost beyond recognition on the environment issue. Militant anti-oil groups, for example, embrace New Left activists and coupon-clipping Birchers. People like Alvin C. Weingand, an anti-oil leader and former state senator, are witnessing a profound change. "What is so phenomenal is the way pollution and the environment have taken hold in the past year," he explains. "People like me who were always interested in cleaning up California, they used to call us 'daisy pluckers.'"

In the opening salvos of the election year, candidates have to a man taken strong anti-pollution stands, and many are basing their entire campaigns on the one issue alone. Even Governor Reagan has delighted the voters and confounded the powerful highway lobbyists by suggesting that the sacrosanct gasoline tax – always used for bigger and better freeways – be spent on air pollution control as well. This is a state given to extremism, and both sides want action. As Jess Unruh noted recently, the environment has displaced motherhood in the political scheme of things. Ecology and related subjects are becoming common academic disciplines at West Coast colleges and universities, while in their spare time students are picketing oil companies and chaining themselves to threatened redwoods. From Lake Tahoe to San Francisco and from Eureka to San Diego, people are seeing the Good Life fading fast under oozing oil slicks, tangled freeways and stifling layers of smog. The reaction is short of panic, but not much. Considering the popular outcry, it seems likely that California will take radical action while the people of the East remain content to muddle along. California today is down and out, but tomorrow it may well show the rest of the nation how to clean up its air, land and water.

John S. Carroll

Nerve Gas

On the first of December, 1969, at a meeting in Portland, Governor McCall of Oregon was told by two army generals and Army Under Secretary Thaddeus Beal that the Defense Department plans to bring 700 rail cars of nerve gas now stored on Okinawa to the Umatilla Ordnance Depot near Hermiston, Oregon, some 200 miles east of Portland. The Military Procurement Authorization Act requires the Secretary of Defense to notify the governor of a state to which toxic chemical warfare agents are being shipped. Nerve gas is a chemical agent which the Pentagon is allowed to stock; a good whiff of it and you die very fast, very painfully.

Whether the governor was expected to keep news of the shipment secret has not been made clear. What is clear is McCall's horror at the prospect. The Defense Department, nevertheless, seems determined to go ahead. Neither the Department nor the President has replied to protesting Oregon congressmen or to the governor. There has been a dry run of a simulated "gas train" from the munitions port at Bangor, Washington to the Depot at Umatilla. The Army intends to run "gas trains" at speeds of not more than 35 miles an hour on back country tracks, bypassing Seattle, Tacoma and Portland, but of necessity passing through Vancouver, Washington and other smaller cities. Spe-

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cial cars with ball bearing undercarriages will be used to reduce the risks of accident. The precautions have not reassured the public or the governor.

An ammunition ship, *Badger State*, which was loaded at the Bangor port last December blew up at sea near Guam January 5; only 14 of the 40 crewmen survived. At a recent Coast Guard hearing George Henderson, able seaman of the freighter testified that when mates of the *Badger* asked for extra shoring to hold the bomb cargo more securely in place, they were told that the shoring was adequate. In the storm, the shoring tore loose allowing 2000-pound bombs to careen around the hold.

The nerve gas train must travel nearly 300 miles along the edge of the Columbia River, with the greater part of the trackage under rock cliffs often hundreds of feet high and from which monster boulders bounce off when weakened by winter storms. One train was recently lost in the Columbia gorge when the engine struck a monster rockslide. The Washington state highway paralleling the rail tracks was blocked east of Lyle, Washington, when two 750-ton boulders came off a 500-foot cliff in mid-January.

Forty-three doctorate rank scientists at Portland State University have petitioned the President and the secretaries of Defense and HEW, asking for a delay until alternate measures have been thoroughly considered. The chemistry department chairman, Gordon Kilgour, has called attention to a statement by the National Academy of Sciences regarding an earlier shipment from Denver to the East Coast which said, "Transportation through populated areas of such gas is an indefensible risk when the incredibly toxic and volatile nature of GB and VX gases are involved." Dr. Kilgour notes that a single bomb containing GB or XV gas contains five million lethal doses, more than enough to wipe out the entire population of Oregon and Washington. The cargo consists of some 700 rail cars of bombs! Dr. Kilgour is asking for detoxification of the gases, which he claims is not impossible, unless the Army has come up with a whole new range of gases we know nothing about.

The shipment is not worrying all Oregonians. The mayor of Hermiston, who is also the town mortician, says his community is for it. The Veterans of Foreign Wars at Hermiston also approve; Hermiston has grown from 650 people in 1939 to 6000 today as a result of the 750 jobs at the Depot.

Last winter, a tank car containing a farm chemical leaked along about three miles of the railroad right of way near The Dalles, Oregon. Nothing was said at the time. In the spring the leaves on shrubs and trees as far as three miles from the tracks began to curl and die. Detective work on the part of the farm extension people uncovered the leakage, after which sawdust was spread along the tracks to try to soak up the remaining fluid. Truck crops across the Columbia at Dallesport were lost this year.

When the 23,000 signatures were delivered to the White House supporting McCall's demand that the gas be destroyed, the governor's representative was received by a military aide, Col. Vernon Coffey. No photographers or press coverage were allowed. And when the Oregon congressional delegation asked how much nerve gas is now stored at Umatilla they were told that such information is classified.

Howard Rogers

Dirksen's Ghost

If one more thread snaps, the sword of Damocles, or, perhaps, one should say the switch-blade of the late Senator Dirksen, will plunge down upon the Constitution of 1787, for Article V, which the Dirksen resolution invokes, makes no provision for any control over a Constitutional Convention, once assembled. It will be precisely in the position of the Convention of 1787, which was called to "amend" the Articles of Confederation, but which chose, instead, to abolish the whole thing and set up an entirely new governmental structure. The Dirksen resolution must be approved by the legislatures of 37 states and thus far 36 have done so; if one more approves, then the Congress must call the convention, which could, at least in theory, sweep away the existing republic.

The only possible stopper is the fact that the new Constitution would have to be ratified by 38 states, but if the Dirksen following could persuade 37 states to call the convention, it should not be impossible to persuade 38 to ratify its work. In any event, the battle to secure ratification would be furious and probably prolonged. It took two years to get the present Constitution ratified and ratification of a new one would probably take longer. In the meantime, the authority of the old one would be seriously impaired, nor would the fiat of a government in momentary danger of being abolished amount to much.

The legal situation is serious, but much more serious is the fact that, to borrow the mellifluous language of Mr. Ogden Nash, "a damn is given by nobody." There is an occasional screech from appalled liberals, and now and then a growl from some thoughtful and disgusted conservative, but nothing like the storm of opposition that might be expected from a nation that really believes in the organic law. Dirksen himself may have been merely a tin-pot cynic whose intent was not to destroy the republic but merely to embarrass the Democrats, but any half-wit can set off an explosion if the gunpowder is already laid to his hand. Not the idiot who sets it off, but the powder is the menace.

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Probably Dirksen himself had no idea of the power of the explosive he touched off. That explosive is the profound loathing of the Constitution that has always imbued the mentality of low-grade Americans. Their hatred may be without excuse, but it is not without reason, for the Constitution is not adapted to them. The Convention that wrote the Constitution seems to have included a handful of lunk-heads, but in the main it was composed of exceptionally intelligent, exceptionally well-informed, and exceptionally bold men who designed a governmental structure adapted to a bold and intelligent nation. Aware that they were undertaking what had been tried repeatedly, but never successfully, they had what it took to plunge ahead.

But they were dealing with the America of 1787, and it is not necessarily true that an organic law admirably adapted to that country at that time is as well suited to this country at this time. The Preamble they wrote states six reasons for the existence of the United States and every one of them was based on hope, not experience – union, justice, tranquility, defense, welfare and liberty were not, but were to be achieved. To adopt the metaphor of Warren G. Harding, they drew to a pair of deuces and filled – hair-raising poker indeed.

They had been through a desperate war, it is true, but only one, and its outcome had made them, for the moment, relatively safe from foreign aggression, and therefore free to experiment with political theory. Contrast that with the situation of the American of 1970. Beginning in 1917, he now lives in the 53rd successive year that might be characterized by the famous French phrase, Terror is the Order of the Day. He has long been inured to a foreign policy into which he is not drawn by his hopes, but propelled by his fears, and his domestic policy has been colored by that lurid glow. Even the brilliant Roosevelt-Truman episode was tolerated by the "silent majority" – silent because it can think of nothing to say – less because it was seen as an advance toward triumph than because it seemed to be the only possible flight from ruin.

No doubt the hardier spirits among us have been forged and tempered by the ordeal, but not those of inferior quality. Fifty-three years of fright have reduced their minds and hearts to a jelly-like mass whose only spontaneous action is to quiver. How can a governmental structure designed for a bold and confident people be anything but a sad misfit when it is imposed on a people not drawn by their hopes, but driven by their fears? The proposed Dirksen Amendment was consciously aimed at the Bill of Rights and perhaps at the Fourteenth Amendment, but it opens the way to reconstruction of the whole framework of the republic.

Possibly a resolutely cheerful philosopher might convince himself that a thorough-going reconstruction of the Constitution might be not a bad thing, seeing that the parallel advance of time and technology has rendered some of its provisions anomalous. That is true, as the 25 amendments attest, and nothing short of radical surgery could excide the most preposterous of them, the indestructibility of the states and the repudiation of excellence by single-class citizenship. Population is already crowding to the water's edge – the Lakes, the Gulf and the oceans – and it seems likely that much of the area between the mountains will presently have as year-round inhabitants only the relatively small number of technicians required to operate its mechanized agriculture. Thus division of the continental United States into 48 pseudo-sovereignties no longer makes sense. Again, while equality of all men in the eyes of the law is the mudsill of democracy, their equality in any other eyes is simply not a fact. No man can excel in intellect or character if no other man is his inferior. Privilege is abominable, but prerogative is another matter and, in theory at least, the difference should be embedded in the structure of the government.

But that either of these genuine reforms would be adopted by a new constitutional convention is beyond the bounds of credibility. Deformation, not reformation, is far the more probable outcome simply because a nation as badly scared as this one is at present cannot do anything sensible and its most serious attempts at political philosophy are almost certain to eventuate in political lunacy.

Gerald W. Johnson

The Nixon Watch

Sham or Surrender?

It was 7 p.m. on February 23 and time for Harry Dent to get back to his work at the White House, after 90 minutes of the kind of easy talk he loves, when I said to him in parting: "If what you have been telling me is correct, a lot of people in the South are going to wake up one day soon and realize that this Administration has double-crossed them." Harry laughed and said that he didn't think so. What he had been telling me was correct, nobody was being double-crossed, and – with soft and friendly emphasis: "You tell your Atlanta friend that I think he's wrong."

The Atlanta friend is Paul Anthony, executive director of the Southern Regional Council. He and Harry Dent are very different white men: Anthony working with the Council for racial integration in every phase of the region's life because he thinks it is right; and Dent, sometime assistant to Senator Strom Thurmond of South Carolina and now the President's Special Counsel and political coordinator, working (he really does) to reconcile the South to a necessary minimum

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of integration because he thinks it is inevitable and in the Republican interest. I had talked to Anthony by telephone from Washington that afternoon and (without naming him) had quoted the gist of what he said to Dent. "There is just the most widespread feeling down here," Paul Anthony said, "from black militants right across the board to segregationist whites, that the white South is winning this thing and that the Nixon Administration has turned its back on desegregation." White "liberals" – politicians, businessmen, editors, community leaders of every sort – were running for cover. "Nigra" and "nigger" were suddenly back in style among upper-class whites who had been training themselves for years to say "Neegro" and "black" (bless that word, so easy to pronounce). There was outspoken satisfaction, among segregationists and professed integrationists alike, that so many blacks were coming to their senses and seeing that integration, especially in the public schools, wasn't all that it had been cracked up to be and beginning to fight to keep their black schools black. "And they're saying these things to *me*," Paul Anthony said, speaking of some of his white acquaintances, and "assuming that of course I agree with them." This, to him, was conclusive evidence that the positions taken by the Nixon Administration and in Congress in the past few weeks had profoundly changed the Southern scene.

Not so, said Harry Dent. If all that was happening, if that feeling about the Nixon Administration existed in the South, it was based on a big misunderstanding. The President's policy on the racial integration of public schools had not changed at all, and there were not going to be "any big changes" in that regard in the South or anywhere else. Everybody down there, in his own South Carolina and the rest of the South, understood by now that the law and the court orders had to be enforced and were going to be enforced. Maybe with "a little more understanding" of the difficulties, more sympathy, "better communication" – but enforced all the same. That was what Vice President Agnew's Cabinet committee on integration was all about. It was true that he, Harry Dent, had suggested a while ago that the President create some kind of committee or commission to study the effects of required integration as it had been applied so far in the South, and recommend ways to make the process easier for all concerned. But it was news to him that his old patron, Senator Thurmond, had suggested the same thing to the White House at about the same time; the Senator must have done it through Bryce Harlow, the President's chief communicator with Congress. The only man he knew of around the White House who had made a similar suggestion was Leonard Garment (this with a kindly smile, saying without saying that I knew as well as he did that Len Garment is regarded by people like me as one of the few approximately kindred souls on the White House staff). The idea for the Cabinet committee – the President officially dubbed it "an informal Cabinet-level working group" – had emerged, so far as Harry knew, from the office of John Ehrlichman, the Assistant for Domestic Affairs.

How was the Agnew group going "to review in detail," as the President had put it, "the efforts of the Executive Branch" to further compliance with integration laws and court orders without getting into the hair of the people who were supposed to be enforcing them at the Departments of Justice and Health, Education and Welfare? And what could the Cabinet group really do in and for a county like Darlington, in Harry's South Carolina, where the school authorities had been ordered by the courts to integrate now and where the whites had boycotted the schools, except try somehow to take the heat off? Well now, said Harry, those were good questions and he didn't know the answers and he doubted that anybody else at the White House did – yet. But there would be answers, and they wouldn't be the kind of answers that my Atlanta friend and, according to him, a lot of other people in the South were expecting.

I asked Harry, in his capacity, as one of Mr. Nixon's certified political experts, whether I was right or wrong in my impression that the establishment of the Agnew group and everything else that had happened in this area recently, including the President's qualified but at the same time "full support" of the Stennis amendment calling for uniform application of integration laws in the South and everywhere else, was in fact a political response to a political problem. Dent knew what I had in mind: the Supreme Court's recent demand that school segregation by law and deliberate official action be ended now, once and for all, and the outraged Southern reaction that in turn had revived George C. Wallace's hottest issue and lent fearsome force to his threat that Nixon would not carry a single Southern state in 1972 unless he began to "do right" by the South. Why, yes – Harry answered – of course there was a political problem and of course it had to be dealt with and was being dealt with. But that didn't mean that the law and the court orders were not going to be enforced. What it really meant was that this Administration was determined to enforce them in such a way as to get the problem over with, get it solved and out of the way, not only before 1972 but by the fall of this year, before the congressional and state elections. If I didn't believe it, ask John Mitchell. That was what the Attorney General had been saying at the White House, in the discussions preceding the formation of the Agnew group and the various statements on the Stennis and other integration amendments: get that problem solved, get it out of our way, and the only way to do that was to enforce the law in a way that the South would understand and accept. It could be done and it was going to be done. "You'll see," Harry said.

What I and everybody else actually saw, among

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other things not quite according to Harry's script, was the summary firing of Leon Panetta, HEW's chief integration enforcer, and the selection of one of his determined foes in that department, General Counsel Robert C. Mardian, to be the staff director of the Agnew Cabinet group. In obedience to the President's directive, he is the man who is to "review in detail" the enforcement practices and policies of Justice and HEW. In doing so Mardian is bound to oversee Panetta's successor in a fashion and to an extent that HEW Secretary Finch never allowed him to do. Mardian makes splendid speeches, all about the duty of school authorities to enforce integration and break up deliberate segregation. He told Louisiana school board members in January that integrated education is "as American as apple pie." Panetta, Commissioner of Education James E. Allen, and some others who had to work with him at HEW didn't care for Mardian's pie. Mardian recommended last March, in a secret memorandum that ceased to be secret, that the department relax its strict school guidelines without announcing it and so avoid a fuss. He has been heard to say in department meetings, too often for the comfort of officials dedicated to real enforcement, "Now don't get me wrong, I'm not for segregation" and, "Now don't get me wrong, I'm for Negroes and equal rights." His HEW associates, those who agreed with him and those who disagreed, didn't get him wrong and one may doubt that the White House people who chose him for the Agnew staff job got him wrong, either. He is there to do the job that Paul Anthony in Atlanta and Southerners everywhere now know is going to be done.

John Osborne

"It Is No Longer Possible to Remain Silent"

The Dissent of Roger Garaudy

by Roger Salloch

Professor Roger Garaudy, the foremost intellectual of the French Communist Party was in Moscow when the Soviet Union intervened in Czechoslovakia in August 1968. On being told of the invasion and of his own Party's communique "disapproving" the action, he cried "Bravo!" But that was the last time the Party was to win his wholehearted approval or he its relative tolerance. Eighteen months later, at the close of the 19th Party Congress on February 9, he was expelled from its Politburo and Central Committee. To judge from the stony silence with which his self-defense at the Congress was greeted, he maintained but a fragile hold on his membership card itself.

Garaudy had considered these developments so inevitable that in the last few polemical weeks before the Congress, while Party cadres were being drilled in their opposition to the Professor's "Theses," he himself was attending a conference on ethics at Loyola, the Catholic university in Chicago. The irony was poignant, but it was not Garaudy's courting of churchmen to which the Party hierarchy was to object. Operating in a country where the church-state issue still has great currency, if little real political meaning, the PCF has long found Garaudy's promotion of a Christian-Marxist dialogue a useful political device. What it could not countenance after the Czechoslovak spring and subsequent intervention, were his increasingly numerous public assertions of the need for a critical stance vis-a-vis the current Soviet leadership and the imperatives for a reexamination of the political assumptions of the Party's domestic strategy.

His "Theses," as they were referred to by his comrades throughout the debate, were brought forth in an obvious challenge to the Party leadership in a new book called *The Great Turning of Socialism*, published three months before the Congress began. Everyone knew from previous articles and an earlier work, *For a French Model of Socialism*, where Garaudy was going. What was surprising was the vehemence with which his new book made its points.

The volume begins and ends with the phrase, "It is no longer possible to remain silent." What Garaudy seeks to show is that in a technological society renewed possibilities for socialist and communist party

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action exist. However, shibboleths will have to be discarded. First – and since the PCF disapproved of the Soviet intervention in Czechoslovakia, it should not be hard – the Party must recognize that in seeking to strengthen its own democratic-centralism, it cannot cling to the USSR as its political model. Stalinism was not one man's perversion; the intervention was no accident. Both grew out of the "bureaucratic centralism" of the Soviet Communist Party, the key element in a "bureaucratic-military" complex in the USSR politically comparable with the "military-industrial" complex in the USA.

To avoid a similar sclerosis, the PCF must adapt itself to the conditions created by the scientific and technological revolution in France. The definition of the "working-class" must be broadened to include all those whose role in the productive process creates "surplus-value." This now means categories such as scientific researchers and students along with manual workers. It is by concentrating on this "new historical bloc" rather than on an alliance with the "bloodless" political parties on the French left that the PCF will bring socialism to France.

The Party presented an abbreviated version of Garaudy's main points in its journal *L'Humanité* along with its own criticism of his position. He was guilty in the first instance of "open and inadmissible aggression" against the CPSU and other fraternal parties. His second crime was "idealism." Exaggerating the "nature, rhythm, and consequences of the scientific and technological revolution" Garaudy also gravely underestimated the importance of "the relations of production," rejected the class struggle, and discarded as irrelevant the theory of historical and dialectical materialism. He was given another chance to defend himself against such inquisitorial charges. A large section of *L'Humanité* was devoted to his rebuttal, not an opportunity usually accorded Party heretics. Garaudy objected that the Party had misrepresented his critique to the masses. He rejected the charge of "anti-Sovietism" repeating his faith in "the beautiful image of the October Revolution." Nor, he said, did he deny the importance of the class struggle. The working class was growing and was more important than ever before. At the same time, there was more to "work" today than putting nuts and bolts together. (Garaudy did not mention a recent French survey indicating that over the last six years the number of salaried employees, classified as "nonworkers," had increased at a rate four times faster than those in "worker" categories, 1.5 million and 400,000 respectively.) Finally, he accused the Party of deviating from the Leninist concept of democratic-centralism by its insistence on getting a collective condemnation of his position by militants at the base level of Party organizations, militants who had never been exposed to his writings.

The Congress was anticlimactic. Etienne Fajon, editor of *L'Humanité*, told the delegates that Garaudy's anti-Soviet position could not be suffered, that his redefinition of the working class was unsuited to contemporary French conditions. The Party would continue to rely on manual workers recruited from those industries traditionally involved in material production. Alliances would be sought with intellectuals. But the future of French socialism depended on a strong assertion of the identity of the French worker, defined within the context of the ownership of the means of production, defended against the ever larger threat posed by the growth of monopolies in France and other industrial countries.

Garaudy's peroration turned to Marx for support. It was he, after all, who had first suggested that among certain kinds of intellectuals – engineers and technicians in particular – it was possible to find working class elements. Old alliances with the peasantry and middle classes no longer served as effective precedents. Garaudy gave no inch on the issue of the Soviet party. Its politics led it to build electric stations in Greece and to ship coal to Spain while coal workers were on strike. Again, silence was no longer possible. Even then, confronted with an unmoved Congress, Garaudy ended on a saddened but optimistic note. "Our cause is just, our objective will be attained," for even if one cuts off those who would pose real problems, life itself will again force them to the surface.

The best explanation of Garaudy's determined action probably lies in this expressed belief that the Party will eventually have to recognize the legitimacy of his analysis. It is another question whether that is an accurate perception. The real challenge Garaudy posed the Party was organizational. A solid stand on questions of international communist relations independent of the CPSU would weaken the stalwarts who control the Party so thoroughly. A more responsive form of democratic-centralism would loosen the Politburo's control over the backbone of the PCF's organization, the Party section. Recognition of the legitimacy of Garaudy's sociological observations would entail devising new methods of organizing and recruiting, which would only weaken the currently effective web of control over such difficult groups as trade-unions and youth groups.

Moreover, the Party may be right in thinking that Garaudy's analysis is idealistic – as idealistic as the *embourgeoisement* theories posited by other sociologists of technological society, like Seymour Martin Lipset. A higher income and TV set do not yet a bourgeois make as a recent study by a set of English sociologists at Cambridge University has definitely pointed out. (John H. Goldthorpe, et. al., *The Affluent Worker in the Class Structure*, Cambridge University Press, 1969.) So too, even with a sense of his research as product, control and profit of which he does not share, the technician has not yet been shown to have the class consciousness – or be capable of it – of a worker.

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The French Communist Party's primary objective is to become part of a governing coalition in France. Any ministry would probably do. With the rest of the French left-wing opposition in disarray, the PCF clearly feels that now is the time for consolidation, not innovation. The political impact of its cohesiveness is a more dramatic factor on the current French scene than the albatross of a pro-Soviet bias. The Party will continue to expend its energies as the sole effective opposition at the national level. If Garaudy's "new strata" do become politically articulate, they will probably do so at the local and regional level and it is not the French Communist Party which will serve as their mouthpiece.

Roger Garaudy meanwhile will spend his time on work in progress on the history of art, and in producing a new international magazine on problems of technological society, for which he has already gotten agreement for an initial contribution from J. K. Galbraith. But it is difficult to be castigated by an organization one has served for 37 years, and one can assume that Garaudy will continue to address his political writings to a communist constituency. He may find some comfort in the knowledge that he is joining a burgeoning group of dissidents of similar persuasion from other parties. The Central Committee of the Austrian Communist Party recently lost 27 members including the renowned philosopher Ernst Fischer. Even the Italian Communist Party was forced to exclude some intellectual dissidents who had begun to publish their own magazine, *Il Manifesto*, in response to new problems created daily by a technology which seems to have little regard for the platforms of political parties.

The Colonels and Their Good American Friends

Bearing Gifts To Greeks

by Zalin B. Grant

Athens

The secret police recently jailed a waiter named Constantine Taktikos for doodling "KKE" – initials of Greece's Communist party – on the dusty windowpane of a car. The regime has, at one time or another, banned miniskirts and long hair, ordered grammar school history books rewritten to denounce parliamentary democracy, punished antiregime "whisperers" with harsh prison terms, and tortured women for vaguely specified political crimes. So Constantine's arrest was shrugged off here as further proof of what everyone already knew: that Greece hasn't advanced an inch toward democratic rule since a bunch of faceless Army officers, mostly colonels, seized power on April 21, 1967.

The best to be said about the Colonels' first thousand days is that they moved with a certain sophistication while they converted Greece into a police state, carrying out a few needed reforms in the process. The tone of the regime was set by their smoothly executed takeover, which was based on a computerized NATO contingency plan routinely drawn up a few months beforehand by NATO allies to counter the remote possibility of an externally inspired Communist coup in Greece. The crude terror tactics with which the Colonels underwrote martial law were balanced by more subtle forms of oppression. Result: no protest strikes by the Greeks, no anti-Junta demonstrations. And whatever opposition may be cooking today is fancied by the very brave or the foolhardy.

Chief technician of this straitjacket stability is Prime Minister George Papadopoulos, who rules Greece with the aid of two key subordinates and a "politburo" of colonels. Papadopoulos spent nine of his 17 Army years in the Greek intelligence service – a combination CIA-FBI once closely tutored by American operatives. Greeks say he learned CIA tricks well. Since the coup the secret police force has been more than doubled in size, listening devices have been attached to countless phones and apartments, and a gigantic informer network has been set up. Papadopoulos' ubiquitous *apparat* has filled Greece with suspicion, causing a once-outgoing people to eye each other warily. The shills and hookers who once patrolled Athens's Constitution Square have all but vanished, replaced now by less obtrusive plainclothes agents.

Most of the available facts on Mr. Papadopoulos'

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earlier career suggest his talents were devoted mainly to plotting. As a young officer in the '50s, he headed a secret right-wing army organization. A major general – now under detention – once unsuccessfully lobbied against Papadopoulos' promotion to colonel, protesting that he had less than a year's combat service and few other recommendations. Colonel Papadopoulos, obviously more confident of his abilities, also promoted himself to defense minister and minister of education and religion after he took over as prime minister. He has maneuvered to consolidate his power within the ruling junta, a gray body of about a dozen officers. "He doesn't yet have the majority of them in his hands," says a well-informed source, "but the others are split into easily controlled factions."

The Colonels' estimate of their popular support is not very high. They haven't risked lifting the strict martial law that has now been in force for three years. Nor have they attempted to legitimize themselves through popular elections. Instead, acting like the soldiers they are, they have methodically moved to insure themselves absolute control in the event outside pressures compel them to suspend martial law or otherwise "liberalize." First of all, the new constitution they handed Greece to approve in a Yes-or-No referendum was loaded with provisions outlawing vaguely defined anti-government activity. "In the future they can pass practically any repressive law to stifle opposition," says a diplomat, "and it won't be unconstitutional." (The constitutional referendum offers insight into how the regime works. At Delphi, government officials passed the word that citizens should dramatize their support of the Junta by voting openly and unanimously for the constitution. They added pointedly that a curtained booth would be available for those wishing secrecy. Of 728 voters, 24 cast ballots in secret; the remainder minus one dutifully deposited their distinctively colored Yes ballots in front of the government election committee. The lone dissenter? The village daredevil, a fellow who had already been arrested several times by the secret police. A well-educated businessman from another town following more orthodox voting procedures confides that he voted Yes because he feared the secret police might trace his fingerprints on a No ballot. Though 92 percent of the electorate approved the constitution, the Colonels apparently reconsidered their document and found it too liberal. Thus far they have refused to implement it.) Secondly, Papadopoulos' regime has begun to build a substructure of repression by writing martial law into common legislation. For example, arbitrary press censorship was officially abolished but replaced by stringent laws that accomplished the same thing.

The Junta has concentrated on tightening its grip on the countryside. Greece is mostly a country of small conservative farmers who coax olives and grapes from rock-scabbed hillsides and exhausted plains in the same back-breaking manner as their ancestors, giving Greece one of the lowest per capita incomes ($934) on the continent. Apathy is usually their reaction to any regime and that's about all the Colonels get, although there is a small amount of rural support for the Junta – purchased partly by their cancellation of $250 million worth of farmers' debts shortly after the coup. (A ploy used by Greek leaders since the days of Solon to gain quick backing.) Signs praising the 1967 "revolution" dot backwater roads. The regime ended rural distribution of Athens newspapers it considered controversial by telling farmers that the papers had ceased publishing.

Why hasn't the country tried to rid itself of the Colonels? Many educated Greeks, who tend to finger worry beads and lament quietly in coffee shops, claim that US support for the Junta makes it impossible. A foreign ministry bureaucrat insists: "Our discontent with the regime is increasing daily, but our ways of doing anything about it are diminishing." Another explanation, less flattering to Greek nationalists, is that while personal liberties have suffered, paychecks haven't – and few people take risks on a full stomach. The economy keeps staggering along, thanks largely to the Junta's success at getting international loans to cover Greece's dangerously expanding balance of payments deficit. Chase Manhattan and the First National City Bank of New York loaned the Colonels millions of dollars after the coup; both banks were allowed to open branch offices in Athens. Tourist revenues – a critical source of hard currency for the regime – are also on the upswing, mainly because of the Americans vacationing here in record numbers. European tourists have steadily boycotted the Junta.

The Colonels have conducted an intensive campaign to convince the Greek public that American guns back them. Not that the average Greek needs much convincing. Nearly 7000 American servicemen and dependents live outside Athens in a golden ghetto – a transplanted suburb of Middle America complete with bridge clubs and supermarkets. Visiting US military officers seem never to miss a chance to be photographed for the local papers with members of the dictatorship. Athens has an American Armed Forces radio (and television) station which recently carried this solemn commercial praising the accomplishments of US soldiers in the 1960s: "When the protest of citizens edged beyond the realm of peaceful demonstrations, the man in uniform was there . . ." Members of the American military community sent their children to serenade Prime Minister Papadopoulos with Christmas carols during the holidays.

President Nixon's new ambassador to Greece, Henry J. Tasca, is expected to move very cautiously to persuade the Colonels to restore parliamentary rule. As

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a NATO official in Naples recently told me: "It's unlikely Nixon will do anything that might threaten Greece's participation in NATO, particularly in view of the explosive Mideast situation." At the suggestion that the US quit supporting the Colonels, the American military's professional pessimists conjure up domino-like visions of Bulgaria marching across Greece's waist to establish a Mediterranean port for the communist world, threaten the Turkish straits, and destroy the southern flank of NATO. Others fear the Junta might restrict the Sixth Fleet's entry to Greek ports. But the ports are used solely as rest and recreation spots for American sailors. And the Sixth Fleet, contrary to the beliefs of some people, is supplied entirely by sea from the US and is designed to operate at full capability even if all ports in the Mediterranean area were closed to it. The US Air Force worries that pressuring the Colonels may jeopardize their use of the Athens airport as a convenient – but not vitally necessary – transit and maintenance point. "They treat us like the Greek air force," says an American Air Force colonel. "You don't even know you're coming into a foreign country when you land here."

The Pentagon is exerting pressure on the Administration to remove the "selective embargo" – mostly on tanks and artillery – from arms shipments to Greece. US military officials claim the embargo hasn't been effective in persuading the Colonels to change their ways. That's hardly surprising. Since the Colonels grabbed power, the Pentagon has established a NATO missile range on Crete, continued to train and subsidize 300 top Greek officers and enlisted men in American schools every year, and helped arrange for the Junta to buy military items on easy credit terms during lean years when Congress isn't dishing out much money for guns. This, of course, is above and beyond the $40 million worth of supplies still given Greece annually under the Military Assistance Program.

But many US civilian experts believe that if Mr. Nixon doesn't get tough soon with the Colonels, American influence in Greece will end when the regime is finally overturned. Anti-Americanism is growing here. Continued support for the Junta may also lose the US friends in Europe. Greece was forced last December to quit the 18-member Council of Europe – a mini-UN of democratic countries – to avoid being ignominiously booted out. More European opposition to the regime probably will be brought to bear in NATO and the Common Market. The Colonels replied to the Council of Europe by opening commercial relations with Communist countries, giving Russia the same trade concessions enjoyed by the US and Britain.

There Was No Conspiracy

Chicago Howler

by Harry Kalven, Jr.

Chicago

Several months ago in discussing the Chicago trial in these pages (Nov. 8, 1969) I was full of cautions about commenting prematurely on so turbulent and indeterminate an event. Now that the trial is finished, the verdict in and the sentences handed down, some cautions still seem in order. The trial's significance will depend on outside responses – responses of public opinion to the symbolic issues both prosecution and defense so steadily pursued, and responses also of the legal profession to what the trial may have shown about the contemporary administration of justice. In any event, nothing more is aspired to here than the jotting down of some first reactions.

A first reaction, on which there is almost complete consensus, is simply: "Thank God, it's over!" It had some of the qualities of a nightmare – an unseemly oppressive event that had lost all shape and structure and that appeared as though it might never end. And yet one could not turn one's head away.

But even this simple reaction immediately calls for correction. It is not over. It is an elementary principle of confrontation politics that each resolution of a conflict should itself provide a stimulus for the develop-

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ment of new tensions. Quite apart from the many issues, some of them formidable, now left for the appellate courts to struggle with on future days, there is the fact that the verdict has already been taken to the streets and anti-verdict demonstrations have been reported from Berkeley to Washington. One of the great achievements of a legal order is that it provides a way of *terminating* disputes, of replacing the oscillating reprisals of the blood feud. Not the least interesting of the points raised by the trial lies in its challenge to the legal system to put a quietus on quarrels of this sort.

The last week with its contempt citations, and the complex jury verdict has, I think, altered the focus. Up to that point what might be called the phenomenology of the trial seemed more important than any legal issues. We all reacted to it aesthetically or as an exercise in political game theory. If in the end the trial has any durable significance it may well be for these nonlegal reasons. But I would briefly come back now to the legal framework, and to the legal significance of the jury's finding the defendants guilty only as individuals and not as a conspiracy.

The statute under which they were indicted makes it a crime to cross state lines with the intent to incite, promote, encourage a riot *and* to "do any *other* overt act" for such purposes. The crime, as I read it, then is not simply crossing state lines with an evil intent; there must also be the "other overt act" in furtherance of the purpose of inciting a riot. The indictment involved two counts: First, charging a conspiracy to cross state lines in this illegal way, and second, charging simply the individual act of so doing. Some six pages of the indictment are needed to set out the conspiracy count; a single paragraph for each defendant is sufficient to set out the individual count. In the case of David Dellinger, for example, the paragraph charges only that he did cross state lines with intent to incite a riot and "on August 28, 1968 at Grant Park, Chicago, Illinois did speak to a public assemblage" for the purpose of inciting a riot.

"I'm a Chicago civil liberties lawyer. What's your crime?"

Until the jury verdict was reported, the case centered on the conspiracy count and it appeared to be difficult to get at other issues, and in any event attention was diverted away from them. The verdict however has swept away the conspiracy apparatus – it is now out of the case forever – and has left only the individual count to be considered in and of itself. And the individual count when scrutinized comes down to the act of making a public speech. The jury verdict has thus served to unearth the free speech issues that were always latent in the case, but which appeared almost hopelessly buried in the intricacies of the conspiracy charge and the hubbub of the courtroom. There is some pretty good law and a pretty good tradition on the issue of when the law can punish a man for making a public speech. The case is thus finally positioned to give the defendants and ourselves a clear crack at our First Amendment traditions. The challenge is not the loose rhetorical one that the trial was an effort to suppress dissent on the war or on race or poverty; it is the precise one of whether the particular speeches the defendants made as charged in the indictment can be used as the predicate for imposing criminal sanctions. That is an issue with which the legal system can deal, and while the particular issues may not be altogether easy to resolve, the traditions to which the defendants can now appeal are strong. Thanks to the jury the case has been given some shape and turns out after these five long distressing months to be an important First Amendment case after all.

In recent years the Supreme Court has been moving away from the original and classic "clear and present danger" formula of Justice Holmes, under which speech problems were conceptualized in terms of the proximity of the speech to action. Since *The New York Times* case in 1964, the Court has moved toward a concern with avoiding seditious libel as an offense. I have thought this approach made more sense out of the free speech norm, guaranteeing virtually unlimited freedom to criticize government and government policy, "a profound national commitment," in the splendid words of Justice Brennan, "to the principle that debate

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on public issues should be uninhibited, robust, and wide open." The Chicago trial would appear to afford a highly important occasion for the Court to reexamine its old notions about public speeches as incitements, in light of these newly developed sensitivities to the positive values of sharp, disagreeable criticisms of government.

The defendants, however, have been so successful in forcing the trial into the mold of a confrontation of a profound sort, as etched with finality by their defiant eloquence when they stood before Judge Hoffman awaiting sentencing, that discussion of these legal issues seems somehow "square." I came back then to the political significance of the jury verdict.

It is more than a neat irony that the most celebrated "conspiracy" of recent times has turned out officially not to be a conspiracy. Mayor Daley and Chicago officialdom had made a heavy investment in a conspiracy explanation of the misadventures of convention week. The trial was surely scheduled as the triumphant vindication of their hypothesis. But I suspect that this embarrassment, good as it is, will not really be felt, partly because it will not suit the defendants' strategies to make much of the point. One can only marvel at the resilience and stamina of the mayor who will have survived not only convention week itself and the impression of it in the national press, and the Walker Report with its talk of "police riot," but also now in all likelihood the jury finding that there had never been a conspiracy to disturb Chicago that week.

Of more interest is what the jury response means about the prosecution and that first fatal error, the decision to bring the case. There has been a good deal of attention paid, and properly paid, to the theatricality of the defense in turning the trial into a political game. In light of the verdict, it is time to take another look at the original decision to prosecute. Virtually every extravagance, every burden, every risk of the trial was a direct consequence of the strategy of framing it as a conspiracy. How effective would even these defendants have been in unsettling the decorum of the trial process if they had been tried alone? How long would it have taken to try them one at a time? How much attention would such trials have exacted from the press? And to ask the most important question, who would have thought such cases, brought one at a time, were worth bringing, and bringing under *federal* auspices? It seems to me that the bringing of the case was a reckless squandering of the prestige of the legal order, an imprudent invitation to confrontation, and that the error in judgment was made precisely because the government, like the defense, wanted to play politics with the trial.

The point goes deeper. At one end the prosecution tacked on Bobby Seale to bring in the aura of Black Panther violence, and at the other end they tacked on defendants John Froines and Lee Weiner with "their incendiary device" to bring in the aura of white radical violence. Froines and Weiner have been fully acquitted by the jury, and it is apparent by now, if it had not been all along, that if the seven were not engaged in a conspiracy, Bobby Seale, who appears scarcely to have known them, could not have been.

Indeed I would say the entire Seale episode, ending with his four-year sentence for contempt, verges on the scandalous. It is firm indication that a major flaw in the event was the prosecution's conception of their case. It's worth noting that James J. Kilpatrick, a conservative columnist for the Chicago *Daily News*, among other papers, appraising the trial in his February 20 column found it a "blunder," found that Judge Hoffman "blundered most of all" and predicted the Supreme Court would throw out both the conviction and the contempts. He then added: "The defendants should have been tried if at all, for throwing trash on the sidewalks. This the city might have proved. And the defendants would have wound up not triumphantly as heroes, but ingloriously as litterbugs." They would certainly not have wound up with fines of $5000 each and five-year jail sentences – plus punishment for contempt.

I have said nothing about those contempt citations, about the bizarre Code of Hammurabi that Judge Hoffman produced by specifying so exactly the price for each offense to his dignity, about the deep paradox that a man might go to jail longer for the way he defends himself than he would have for the offense charged against him. Surely the contempts were the final achievement in the defense's calculated plan to make the system look bad. The Supreme Court in recent years has shown increasing concern about the anomaly of the judge playing the role of witness, prosecutor and judge all at the same time and at a time when he is likely to be vulnerable to anger. Since the contempt sentences for the five defendants were made to run concurrently with the sentences for violating the antiriot statute, appellate scrutiny is likely as a practical matter to focus on those handed out to Bobby Seale and to the two lawyers. I will hazard a guess that the case will provide the occasion for a careful circumscribing of the trial judge's traditional contempt powers.

I have said less than I should have about the tactics of the defendants. There is no doubt that they should not be romanticized and that they pose a threat to the legal sysem. The trial of the future may require judges who are politically sophisticated and able, as it were, to act as counterinsurgents to defendants' guerilla warfare. At the moment I am clear only about two things. The trial was a mess and a loss for the society as a whole. And it was not due solely to the fault or the skill of the defense that it turned out that way.

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Stanley Kauffmann on films

Patton

(20th Century-Fox)

Tropic of Cancer

(Paramount)

The astonishing achievement in *Patton* is that of the producers, Frank McCarthy and Franklin J. Schaffner. Not so much for anything in the picture, although there are some very good things in it, but for the foresight to make it and for being able to coax up the money when they did. A large-scale film like this one, with many locations and tons of equipment and hundreds of complicated effects and hundreds of people to transport, has to be planned at least three years before the public gets to see it. This means that the decision to produce *Patton* was made no later than early 1967. Lyndon Johnson was President; sentiment against the Vietnam war seemed on the rise; the press was full of protest; sentimental patriotics and adulation of the military were not exactly filling the air. Yet that was when McCarthy and Schaffner began. Through the intervening thirty-six months, the production has traveled like a space missile seemingly headed nowhere that gradually zeroes in more and more accurately on its target – and now *Patton* has landed right on the bull's-eye: the age of Nixnew. The time of the silent majority.

Fortuitous or not, it is wonderful timing. I can't remember anything as opportune since the publication of Cameron Hawley's novel, *Executive Suite* – about the virtues of big business – just after Eisenhower's first election. For a lot of years, that silent majority has been hungry for pictures like *Patton*, with a hunger that a picture like *The Green Berets* (though it made money) could not really satisfy. Here is a film that is made carefully, photographed superbly, and directed generally well, with an irresistible performance in the leading role, marvelous battle effects and – above all – an air of intelligent candor. It seems to say, "All right, now, we've had enough of this bellyaching. War is *in* us and we might as well face it. The urge to kill – hell, the enjoyment of it – is in us, so let's not kid ourselves. And – at the risk of sounding corny – what's so damned wrong with a lump in the throat at the sight of the American flag?" Perfect. I saw *Patton* in a large theater with a large audience. The very first shot is an American flag in vivid color filling the wide, wide screen. Some defiant applause. Then out steps General Patton, minute against the immense banner, and I felt the audience lunge toward him with relief. Everything was all right again, the old values were safe. Before Patton had finished his address to his new soldiers (which is the prologue to the film), profane, soldierly, paternal, tough, before the picture had really begun, it was a solid, unassailable hit.

McCarthy and Schaffner had either prescience or blind luck. But, keeping an anchor to windward, they subtitled their film "The Story of a Rebel." (Patton's rebellion consisted of being more militaristic than the military!) They commissioned a screenplay by Francis Ford Coppola and Edmund H. North that emphasizes the contradictions in their hero. Patton is well-read in military history and has a sense of the past, he believes that his soul has transmigrated through the great wars of history, he writes and quotes poetry, he speaks French fluently, and he is a gourmet. (The only "humane" touch omitted is the fact that he vomited when he saw a German concentration camp.) Also included is the Patton who wished he could give medals to the daring German pilots who had just bombed a lot of his men to pieces, who confesses that he loves visiting a battlefield where men lie dead, who slaps a hospitalized soldier with battle fatigue (thus maiming his own career), and who shoots two donkeys that are a peasant's property because they are holding up a military advance (the incident used in Hersey's *A Bell For Adano*). All these contradictions present Patton as a complex man, which he undoubtedly was. The picture asks our praise for that fact, for not presenting him as a monochrome comic-book swashbuckler. What it omits is that most men are complex, and that some complex men are more admirable than others.

The chronicle follows Patton's ups and downs from the Kasserine Pass in 1943 to the end of the European War in 1945. Franklin Schaffner also directed the film, and has done it surprisingly well. There was little in *The Best Man* and much less in *Planet of the Apes* to suggest the sureness and the comprehension of spectacle that he shows here. *Patton* is not remotely epical in the sense of Jancso's *The Red and the White:* there is no grasp of the currents of history, only a compilation of spectacular events in chronological order; but Schaffner handles them vigorously. He repeats some cinematic ideas: over and over he begins a grim sequence with pretty objects: a shot through a field of waving flowers before we move up to an ambulance, a shot of snow-covered trees before we pan to soldiers advancing across a white field. Occasionally there is a long shot at a moment when Patton is saying something important, and the importance is diminished even though the words are heard. But for the most part Schaffner has kept his film interesting, varied, and tight. And he has provided an implicit commentary on the juxtaposition of two cultures by getting the most out of the locales through which Patton moves – North African buildings, a Sicilian chapel, a Corsican villa, a French chateau, a London apartment, among others. All these tell us something about the continent that is being fought over, in contrast with the man who is leading part of the fighting.

For this, and more, Schaffner is indebted to his cinematographer, Fred Koenekamp, who shot the film in a new wide-screen process called Dimension 150 that articulates every plane and reproduces every color faithfully. The score by Jerry Goldsmith is banal.

George C. Scott, as Patton, is truly commanding, fulfilling the hard, manic streak that was apparent in him years ago when he was playing Richard III and Jaques and Shylock for Joseph Papp in New York. Scott was never shy of self-confidence and now he has brought up additional power to support it. His voice has hoarsened rather than mellowed through his career, but in the latency of explosion that lets an actor make us pleasantly nervous, he is the most remarkable star since Brando.

(Continued on page 39)

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Charles Thomas Samuels: Placing Miss Porter

The Collected Essays and Occasional Writings of Katherine Anne Porter

(Delacorte; $12.50)

The Collected Essays and Occasional Writings contain all of Katherine Anne Porter's previous volume of nonfiction, *The Days Before*, as well as an equal amount of essays, reviews, letters, and journal entries not gathered in the earlier book. Of the new material, we should welcome "St. Augustine and the Bullfight," a masterly memoir with the shapeliness of good fiction, "A Wreath for the Gamekeeper," which passionately and comically denounces *Lady Chatterley's Lover*, one chapter ("A Goat for Azazel") from an uncompleted biography of Cotton Mather, and scattered instances of wit and perception. Little of the rest, however, warrants reprinting, especially in a ponderous tome with a $12.50 price-tag and little or no editorial apparatus (no explanation of why just these letters and journal entries were selected, no notes on unfamiliar people or places, scant information on the occasion or magazine that inspired many of the pieces). Nevertheless, this book should help us to comprehend the elusive nature of Miss Porter's talent.

In perhaps the first important review of her fiction, Edmund Wilson remarked, "Miss Porter is baffling because one cannot take hold of her work in any of the obvious ways," and nearly all subsequent critics have complained that no writer so often praised has been so rarely illuminated. Placing Miss Porter has been rendered difficult by several myths that have swaddled her away from the probing touch of criticism, and *The Collected Essays* can dispel at least two of them.

For a long time now, Miss Porter has been reputed a sort of priestess of art, who regards writing as a religious vocation and thus manifests its mysteries with the infrequency of revelation. Or, in the words of John Aldridge, her "paucity of production has come to be regarded as the mark of a talent so fine that it can scarcely bring itself to function." Instead, Miss Porter is a thorough professional, as *The Collected Essays* suggests, with its generous supply of craftsmanlike trivia apparently written on demand. Not writing itself but the writing of fiction seems to preclude copiousness, so we are reminded by this volume to look further for the causes of her slender output of stories and her single novel written over a period of twenty years.

The other myth protecting her reputation is that she is a stylist, a maker of stories in which we contemplate the surface rather than probe the depths. But in her *Paris Review* interview Miss Porter herself deplores this characterization ("I've been called a stylist until I really could tear my hair out. And I simply don't believe in style"); and *The Collected Essays* constantly reiterate her belief that art is statement, the insight that style merely manifests. For this reason, the style of her fiction is scarcely less discursive than that of her nonfiction. After painstakingly inspecting the former, Robert Heilman (one of her supporters), has validated the author's self-appraisal: "The difficulty of describing a style without mannerisms, crotchets, or even characteristic brilliances or unique excellences leads one constantly to use such terms as *plain, direct, ordinary, unpretentious, lucid, candid.*"

The myth of Katharine Anne Porter the stylist, for all the positive implications, tends to reduce her to the status of a minor word-player, whereas her numerous admirers insist that she isn't "minor" at all. What, then, can be adduced in behalf of her acceptance as a major writer? Something, one would think, that relates to profundity of vision, the powerful conviction that can make, let us say, Emily Bronte major, though her output was even smaller than Miss Porter's. The trouble in Miss Porter's case is that the sensibility aspiring toward statement is almost constitutionally unable to assert anything. She does not so much have a "vision," a point of view, as a suspicion of people less uncommitted. As Robert Penn Warren argues, the center of her work is irony, skepticism, "a refusal to accept the formula, the ready-made solution, the hand-me-down morality, the word for the spirit."

The positive side of this is Miss Porter's tonic contempt for cant and fanaticism, of which the best example in *The Collected Essays* is a scintillating put-down of Gertrude Stein ("The Wooden Umbrella"). On the other hand, Miss Porter's skepticism can also become rigid, her contempt for fanaticism so sweeping as to ironically resemble its target.

In her nonfiction, these traits are exemplified by the unfinished book on Cotton Mather, where her rage seems almost out of control. Within the compass of a single sentence she indicts the Mather family for "natural personal arrogance . . . theological pride [and] jealous vanity." Her poor hero can scarcely enjoy a meal without having to digest her ironic laughter at his belief that eating was seductively pleasurable. As a result, we begin to wonder not only why the author bothered to tell his story but how he could have achieved sufficient stature to make it important that she expose him.

Miss Porter's unqualified hostility sometimes produces similar problems in her fiction. As for Puritans, she feels for Germans a hatred too deep to encourage insight. This is what makes her novella "The Leaning Tower" so unenlightening (with, for example, its tired linking of German brutality and the duelling code) and her novel *Ship of Fools* so enervated (with its trite irony of a pet-loving anti-Semite).

What disturbs in her negativism is not the attitude itself but its tendency to preclude characters and events of any convincing complexity. With admiration, Eudora Welty asserts, "Kath-

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erine Anne Porter shows us that we do not have to see a story happen to know what is taking place"; but the absence of reported behavior and the presence of asserted criticism can produce the effect of straw men burned by the author's private anger. Something like this is true even of the beautifully written story "Flowering Judas," in which the fake revolutionary Braggioni is fully exposed by Laura's initial view of him. Therefore, since we do not actively discover his unsoundness, we do not deeply feel her final understanding – also rhetorically expressed – that she is not measurably superior.

In discursive comments on her own fiction, Miss Porter always maintains that her stories originate in actual experience; she is not, so far as we can tell, a writer of rich imagination, and this fact, more than any other, seems to account for her difficulty in producing much fiction. Therefore, although she is always clear, she is only forceful when dramatizing an experience that was forceful to begin with. Distinctive neither in style nor vision, Miss Porter, after all, is at the mercy of her material. Only when she touches something truly rich is her skepticism undiminishing and her rhetorical clarity a pure advantage.

The experience need not be personal. This we see from a fine story like "The Jilting of Granny Weatherall," about an old woman who cannot forget the man who rejected her even on her death bed. Here the imminence of death, superbly realized by Miss Porter, transfigures what might have been mere vanity, and Granny Weatherall becomes a serio-comic representative of man's will to perfection. Another of Miss Porter's smaller successes is "Magic," in which the former inmate of a bordello tells about the forced return of an errant colleague without realizing that it was poverty and not voodoo that brought the girl back. This is no more scenic than most of Miss Porter's stories, but its brevity (five pages) and the counterforce of the teller's incomprehension cause the facts to reach us with maximum impact.

Her great novella "Noon Wine" *is* scenic – the most unrhetorical, dramatically vivid of her fictions, the only one which is allowed to play itself out before our eyes so that we, and not the author, articulate its meanings. For once, Miss Porter had material that could be so trusted: a violent murder committed for obscure motives, complex characters, neither wicked nor foolish, a tangle of implications defying the neatness of epigram. In her account of the tale ("Noon Wine: The Sources") included in *The Collected Essays*, she makes clear the extent to which these marvels were not invented but were rendered from life.

Another great achievement is the novella "Old Mortality," a work whose autobiographical immediacy we may infer from other stories that feature her alter ego, Miranda. With astonishing economy, it compresses both the history of an entire family and its heroine's movement, as she goes from child to wife, through immersion in the family's romantic myth about itself to mature awareness that it is a myth. Yet, as in "Noon Wine," Miss Porter establishes the complexity of life here, instead of settling for easy irony. Miranda is forced to face not only the falsity of romanticism but the contrary excess of an astringent perspective on romantic delusion that is so characteristic of her creator.

In the review to which I have earlier alluded, Edmund Wilson was "tempted to say that the effect [of her writing] is pale," but he was "prevented by the realization that Miss Porter writes English of a purity and precision almost unique in contemporary American fiction." Rereading her stories alongside the prose makes it clear that precision and pallor can go together, if precision works to evade the mystery of real people and situations. In too much of her fiction, Katherine Anne Porter is indeed the essayist, or critic, for whom the greatest goods are consistency and clarity – both of which she purchases at too high a price. Those who esteem her should forebear inviting us, because she wrote so little, to consider everything she wrote; for Miss Porter is admirable only when her material pushes her beyond an irony that is always lucid but often without resonance.

The Influence of Federal Grants
Public Assistance in Massachusetts
Martha Derthick

Are there strings automatically attached to federal grants to state and local governments? In analyzing grants-in-aid as an instrument of federal influence, Miss Derthick describes the goals of federal assistance policy, how federal administrators sought to achieve them in one state – Massachusetts – and the response of state and local officials to these federal actions. This lucid and important book demonstrates the American federal grant system in action. "Well documented." – *Library Journal*

Joint Center for Urban Studies. $8.50

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Peter Caws: Strong on Brains

Mind and Brain: A Philosophy of Science by Arturo Rosenblueth

(M.I.T. Press; $5.95)

It is a pity that Arturo Rosenblueth called this book "a philosophy of science." There is no objection to the subtitle if one takes it at the level of everyday language; philosophers have no monopoly on their trade. "Take aspirin and hope for the best is my philosophy," as one of Alan Dunn's matrons remarked to another last summer. But there is such a subject as the philosophy of science, technical (and rather dull) as it may be, and Rosenblueth knows almost nothing about it. He has a few sound things to say on a

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philosophical level but he is at his best when he recounts, in generally simple and often lucid language, the findings of the sciences to which he has devoted his career.

The one flaw of the book, regarded as a scientific treatise, is a minor but persistent one. Rosenblueth does not seem to be quite sure which audience he wishes to address, the community of scientists or the general public. On the one hand he spells out some of the most elementary propositions of molecular biology, which since *The Double Helix* have been standard glossy magazine fare; on the other he leaves undefined such terms as "scotomas," "agnosias," "commissural tracts," and so on. Again, he sometimes wishes to enlighten the ignorant (e.g., as to the nonteleological character of evolution) and sometimes to rebuke his colleagues (as when, for example, he remarks of some of Penfield's work that "The only inferences that may be drawn from this observation are that the connections between the ipsilateral striate and motor areas do not traverse the parietal gyri, and that these gyri are not indispensable for the guided movements performed by the patient" – pretty stern language). Such unevenness apart, the information the book has to convey, and the learning in which it is clothed, are admirable.

One of the refreshing things about *Mind and Brain*, as an example of its genre, is that it is not by a physicist. (Rosenblueth is a neurophysiologist.) Not that he is the first nonphysicist to enter the popular arena; but he represents a comparatively unfamiliar science straightforwardly, without being autobiographically precious like James D. Watson or wildly romantic like Loren Eiseley. That the overt aim of the book – to give an acceptable account of the way in which minds depend on brains – is not quite achieved does not detract from the way in which it is led up to, and the middle chapters on nervous structures and the physiology of sensation are authoritative and fascinating. Rosenblueth's scientific instincts are sure, and their methodological (as opposed to metaphysical) consequences lend what credence can be granted to his philosophical pretensions. Some of them appear in original forms; for example the principle – as old as Democritus – that evidence must take precedence over theory becomes: "In this laboratory the only one who is always right is the cat."

Not that cats are particularly intelli-

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gent; they are simply what Rosenbleuth has done most of his experiments on. They are, however, genuinely conscious and can be said to have mental experiences – or so Rosenblueth concludes. This comes as no surprise to anyone who has ever lived with a cat, but one would have thought that the experimental neurophysiologist might have been reluctant to confront it so openly. The more like humans animals turned out to be, the less, it might seem, would researchers find the heart or stomach to stick electrodes in them and examine stained cross-sections of their brains under powerful microscopes. Rosenblueth takes just the opposite tack. "If we accept that animals have mental experiences," he says, "we are justified in using them in our investigations on the physiological correlates of human mental processes, and in performing experiments on them which for humane reasons we would not wish to carry out on human beings."

Granted that too much sentimentality would bring zoological research to a halt, still it is sometimes well for the scientists to remember that the concept of justification has more than one dimension. Rosenblueth could no doubt have given a plausible argument in the other sense too, and it might have been worthwhile to do so. To do him justice he does go on to point out that he spares animals pain whenever possible, for ethical reasons; but of course humans might be spared pain too – it is the *other* grounds for reluctance that are really interesting. How do we know they don't apply to animals? This question leads to a set of problems beyond the scope of Rosenblueth's book, let alone of this review, whose possible implications are overwhelming. Some time ago a writer in *Science*, in an article called "Microscopic Brains," raised the question whether cockroaches might have personalities. A little more along these lines and we would have to become vegetarians and Buddhists – not a bad thing, perhaps, in view of the latest reports on DDT.

The reason why the final outcome of this book is unsatisfactory is that Rosenblueth comes to grief on a set of genuinely philosophical obstacles, belonging not to the philosophy of science but to a more fundamental and more formidable branch of the subject. The mind-body problem, and the problem of the freedom of the will, are among the hardy perennials of philosophy, and after hundreds of years of debate it is not in the cards that scientific common sense will solve them. They are of a different order. Nothing that Rosenblueth reports would have seemed in the least extraordinary to an eighteenth-century materialist with a lively imagination – d'Holbach or La Mettrie, for example – but philosophy was not appeased by them and has not been by their successors. Even if every *fact* adduced by Rosenblueth were to prove correct (and it is safe to assume that, in some more sophisticated form perhaps, most of them will) the condition of the conscious subject would not cease to be problematical to itself.

There are indeed in the last chapters some useful reminders that scientific results, translated into popular imagery, are nearly always misleading. A lot of well-intentioned people seized on Heisenberg's uncertainty relations as a vindication of free will, but the physics of atomic structure and the physiology of purposive behavior are orders of magnitude apart and the argument falls into absurdity. Rosenblueth's solution to the free-will problem is just as unacceptable; he simply asserts that there is a physiological correlate to the *feeling* of freedom and takes that as an adequate answer to the whole difficulty. Again, his double-aspect theory of the relation between mind and brain has been argued over by philosophers for years, so that the kind of confidence in a simple solution that he exhibits is no longer possible. The truth is that there is a whole literature here with which he is unacquainted.

In short *Mind and Brain: A Philosophy of Science* is strong on brains and science but weak on minds and philosophy. It would be gratifying if philosophy came automatically with age and eminence, but we have learned – and not only by the example of scientists – that it does not.

JUSTICE WILLIAM O. DOUGLAS backs today's young anti-establishment rebels and warns of revolution in America unless those who rule us consent to fundamental and wide-ranging reform.

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Notes on Contributors

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John Greenya: A Bit Hokey

Sanctuary V
by Budd Schulberg

(New American Library; $6.95)

I do not suspect Schulberg of trying to make a gang of money by plucking off a politically ripe topic. Still, the locale of his new novel – a fictionalized Cuba – presents one of those readymade topics that attract the fictioneers who write for profit only. Said another way, for a famous writer to write what is clearly a censure of Castroism is to be sure of a big fat sale. This problem, combined with the slickness of *Sanctuary V*, makes it easy for the book to be put down, literally and figuratively.

The novel recounts the sad story of what happens to a good idealist who backs a bad pragmatist, and the tale is prefaced by the good idealist-narrator's 2½ page prologue telling us that things didn't work out. The idealist-narrator is called Justo Moreno Surez, Provisional President of the People's Republic of . . ., of . . ., come to think of it, he never does name the country. How odd, and convenient.

Justo (don't miss the symbolism) is Latin America's answer to our legal fiction known as the Reasonable Man, for though he had originally backed the revolution that was supposed to return all the land to the people, he now realizes that the revolutionary leader and former National Christ Figure, Angel Bello (too much!) is swiftly becoming a tyrant in his own righteousness. All Justo's lingering doubts are dispelled when he is declared an enemy of the state. As the axe speeds toward his idealistic neck, and toward those of his wife and daughter, an escape is made from their villa into political asylum in the embassy of a "neutral country" – a sanctuary guaranteed by "Article V of The Pan American Convention on Diplomatic Asylum." There Justo's idealism suffers again when he learns that the host Ambassador, the internationally famous humanitarian, wants a bribe.

The rampant dishonesty, the weird mixed-bag of co-asylees, the petty pecking order, and above all the heavy hands of the clock as they try to move a bureaucratic and diplomatic clockworks make the best part of the book, or at least the most interesting, for in sanctuary we meet a rare collection of oddballs who probably would – in any real world – incur the wrath of a tyrant. *Sanctuary V* has them all, from Cardinals to jai alai players to a Batista-

The Nature Of The Beast

Aiming only to please,
she lays her morning's work at my door—
house or field mouse, lizard, shrew,
clotted feathers, half a chipmunk.

She is not fooled, proud beggar,
by the loose change of my praise
but walks away as though it were enough.

We both know she will be back tomorrow.

I watch her dignified retreat
and turn to write you yet another poem.

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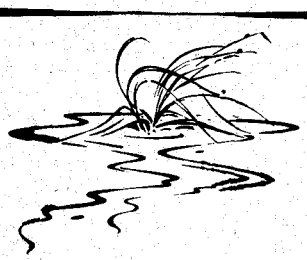

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There is also the scene in which Justo is sprung; it is the topper, the culmination of all the scenes in the book; and in it, characteristically the author can't resist telling us what we should be allowed to see for ourselves. We observe but we don't participate. The theater of the mind is dark.

If all this seems too harsh, remember that we are talking about Budd Schulberg, a good and honest – if sometimes a bit hokey – writer who has never before attempted to pass off something slick.

Think back on *What Makes Sammy Run*, read it now and see that even though many lines stick out in all the wrong directions it is still a good good book that tells a true and moving story about a credible, vibrant being. And remember the other books and films, right up to and including the Watts anthology with its self-conscious yet appealing introduction. And remember the idea, at least that of *On the Waterfront* – and all the other things that this man has written that combine to shout out: I CARE. And he did, and does; but this book doesn't succeed in getting that message across because the shout is too loud and obvious, and we finally begin to wonder about it. We begin to wonder about Schulberg in just the way Schulberg once asked us to wonder about Sammy, in this marvelous passage:

"Now it's mine," Sammy said. "Everything's mine. I've got everything. Everybody's always saying you can't get everything and I'm the guy who swung it. I've got the studio and I've got the Harrington connections and I've got the perfect woman to run my home and have my children."

I sat there as if watching *The Phantom of the Opera* or any other horror picture. I sat there silently in the shadows, for it was growing dark and the lights hadn't been switched on yet and I think he had forgotten he was talking to me. It was just his voice reassuring him in the dark.

"Sammy," I said quietly, "how does it feel? How does it feel to have everything?"

He began to smile. It became a smirk, a leer.

"It makes me feel kinda. . . ." And then it came blurting out of nowhere – "patriotic."

Poem of the City of New York

This is a Poem of The City of New York.
There is too much going on.
The air swirls around
like a soiled gown. I forget
what time it is you said.
to meet you in the elevator.

Across the hall lives the man
who's afraid to talk; upstairs
is the girl afraid not to make noise.
No one in the neighborhood is friendly,
and it's a friendly neighborhood.
It is full of belligerent boys
Who at 9 years smoke and eye your ass
I do not even want to say to them
Why can't you be nice,
Why can't you be children.
Last year, or the year before,
I might have wanted to.
But not any more.

JUDITH KROLL

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Replies to Alexander M. Bickel

The Debate over School Desegregation

"Massive school integration is not going to be attained in this country very soon, in good part because no one is certain that it is worth the cost. Let us, therefore, try to proceed with education." Had readers of *The New Republic* seen that statement in 1960, they might have attributed it to a conscientious Southern school superintendent or to a moderate Northern school board member under fire from the NAACP. In 1960, it would have been easy to see the flaws in the argument: the implied contrast between "integration" and "education" (a favorite ploy of the advocates of "compensatory" separate but better schooling); the fatalistic tone (note the passive verb); the obscure modifiers ("massive," "very soon"); and the dubious statement that "no one" is sure that integration is worth the cost.

But it is 1970. Readers today may well applaud Professor Alexander Bickel's conclusion in his essay "Desegregation: Where Do We Go from Here?" (*NR*, February 7, 1970). What has created this different perspective during the last decade? Mr. Bickel pinpoints two key developments: many schools have become resegregated because whites have fled integration; and Afro-American leaders have increasingly demanded community control of schools in black ghettoes in lieu of desegregation. It is essential to disestablish a "legally enforced system of segregation," he maintains, but integration decrees have, in effect, discriminated against rural poor whites in the South, who cannot move to segregated neighborhoods as easily as their urban or Northern counterparts. "The questions to ask," he writes, "are whether there is any way to prevent the whites' fleeing, or whether there are gains sufficient to offset the flight of the whites in continuing to press the process of integration."

These are indeed important questions – and disturbing ones if we are determined that the second period of Reconstruction not follow the fate of the first by abandoning the search for racial justice. Is racism ineradicable and the quest for integration a fad and an aberration? Is there any civilized alternative to an open society? Is the doctrine of community control a long-range substitute for integration? So rapid and unpredictable has been the course of the black revolution that caution must hedge any attempt to deal with such issues.

It does not help, however, to use extreme examples to prove a case. Mr. Bickel analyzes two specific communities in his article: Canton, Mississippi, where the ratio of students is 70 percent black and 30 percent white; and Ocean Hill-Brownsville, the center of bitter conflict in the New York teachers' strike of 1968. The schools of the nation are not the black belt or New York writ large. Desegregation means something quite different in Berkeley, California; in Champaign-Urbana, Illinois; in Gainesville, Georgia; in Teaneck, New Jersey; in Portland, Oregon. Each of these cities has gone far to integrate its schools. The ratio of blacks to whites, the character of the school board, the ideology of black leaders, the caliber of schoolmen, the size of the city and many other influences shape what the schools can accomplish.

Vast urban ghettoes do pose a special problem, as do redneck Southern towns, but sooner or later almost every small or medium-sized city and suburb will face the question of integration if it has not already done so. The nearly all-black metropolis with its white noose of Caucasian suburbs will increasingly become a fiction as economically mobile-Afro-Americans escape to suburbs from the slums. There will be few places for white racists to hide. One hardly needs to conjure up Mr. Bickel's "pursuit of the whites with busloads of inner-city Negro children, or even perhaps with trainloads or helicopter-loads." Some observers today advocate a blurring of school boundaries within metropolitan areas – sometimes called "metropolitanism" – in the assignment of pupils and the allocation of certain services (a process compatible with the decentralization of other kinds of school government). Modest experiments of this kind have already appeared. But in any case, the white flight from blacks will one day probably become as practically difficult as it is morally abhorrent.

North or South, in large city or suburb, in segregated ghetto or desegregated classroom, the heritage of racism persists. Whites are beginning to learn the extent of this malignancy in Northern schools, but blacks have known it all along. In 1920, a leading Northern educator proposed a model state school code in which he suggested separate schools for the "overaged, defective, delinquent and Negro" (note how these groups even now are indexed together as "social problems" in books and libraries). Indianapolis, Philadelphia, Gary and many other cities in the North had officially segregated schools (one town in New Jersey had a high steel fence dividing the playground to keep the races apart even at recess). Textbooks and teachers either ignored or ridiculed black achievements, prompting scholars to speak of the "miseducation of the Negro." W. E. B. Du Bois wrote in 1935 of the "crucifixion" of black children in mixed schools and said that they would be better off in segregated schools which taught them pride in themselves. Thousands of black students had the kind of experience described by Gordon Parks in *The Learning Tree*, in which a white counselor told Newt Winger that "ninety-nine percent of the Negro students don't go to college. They aren't college material. . . . The few who are – and are lucky enough to get the money – usually wind up as cooks or porters anyway."

Still, Newt Winger's parents demanded an integrated high school for the black students of their town. Eighty-two percent of Northern black parents interviewed by William Brink and Louis Harris in 1966 also wanted their own children to go to school with whites. Mr. Bickel dismisses such overwhelming evidence from "abstract questions" asked on polls about integration, saying that "the vanguard of black opinion" does not favor integration but rather community control. It is, indeed, very difficult to say who does represent "black opinion." In a CBS poll in 1968, Negroes were asked if they would give active support to certain leaders. Black respondents said yes in these percentages: to Ralph Abernathy – 49 percent; Stokely Carmichael – 4 percent; Rap Brown – 2 percent; Roy Wilkins – 16 percent. It

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is also hard to determine precisely why blacks have fought in the past for integration in Northern schools. It is at least possible that black people, knowing how much they had been cheated in segregated schools, felt that they would receive a fairer chance with white students in classrooms with their children – so to speak, as hostages to the good intentions of the white power structure. But in a more positive vein, both blacks and whites have realized that the common school offered a chance for children to gain the mutual understanding essential to inter-racial peace and justice.

Today the quest for black community control is strongest in cities like New York and Chicago and Washington, where integration has proved a delusion, where promises have been broken or hopes for desegregation shattered, where the facts of demography render racial isolation an ineluctable fact of life, where vast and unresponsive school bureaucracies have seemed to treat blacks as subjects, not citizens. Given the failure not only of integration but of education in general, community control offers hope for change, for racial dignity, for teachers who serve the children and not the system. Influence over public education is a right, not a privilege, for parents and patrons, a right denied to most city residents by the centralization and bureaucratization of schools at the turn of this century.

But community control is no more a panacea than compensatory education or a panoply of devices like the educational park. It can, in fact, give the affluent and powerful a cop-out – you blacks solve your problems alone (even though white racism created them). If broadly representative of the community, local control might create the pride and power requisite to eventual social integration. If monopolized by preachers of hate, it might further splinter the republic.

The big city ghetto, the Southern town, the small city all pose different problems to the advocate of integration, although the principle of respecting the integrity of the human personality and the oneness of humanity remains. It is entirely appropriate that a public policy of desegregation be pursued flexibly according to local conditions and that no double standard exist between North and South. The carrot of federal grants, for example, works better in many places than the stick of court orders. But if we slacken in the search for desegregation, we undermine not only the *common* school but also the open society it is designed to create.

David Tyack

Mr. Tyack is associate professor of Education and History at Stanford.

Bickel's analysis rests on several major assumptions. First, that neither white nor black Americans want integration and that efforts to force desegregation are thus hopeless; second, that school integration has been only marginally successful in the South and that even this success has required imposition of inequitable policies on Southern communities; third, that "no one knows" whether integration "would be educationally useful or harmful to the children, black or white," and therefore money would be better spent on improving ghetto schools. Finally, he suggests that Nixon Administration policy changes have merely modified previously unrealistic requirements in order to produce more durable desegregation. Each assumption is wrong.

In attacking the 1954 Supreme Court finding that school segregation is both educationally and psychologically devastating to its victims, Bickel has relied on shockingly inadequate data. He has dismissed the educational value of integration and endorsed that of compensatory ghetto programs without considering the evidence available on either issue. Equally striking is his failure to discuss critical distinctions in Constitutional and statutory law, and basic differences in the nature of school administrative problems, which make it impossible, for the present, to treat Northern de facto segregation in the same way as the Southern dual school system. Finally, his analysis reveals an obvious lack of familiarity with the experience of Southern school districts which have desegregated.

The most basic assumption of Bickel's argument is that neither blacks nor whites want integration and whites will simply move away from desegregated schools. As evidence, he points to the current uproar in some Mississippi and Louisiana school districts, the bitter struggle for community control in New York City, and the rhetoric of some black separatists who he anoints as the "vanguard" of the black community.

Contrary to the impression conveyed by Bickel's argument, the overwhelming majority of Southern black leaders are still committed to integration, although some express legitimate concerns about the white tendency to close up schools located in the black communities. In most integrated Southern communities, the issue largely disappears from local politics. Serious incidents in such school districts are rare. School superintendents speak with great relief and enthusiasm about the fact that they are finally through with a bitter political issue and able to begin providing the best possible education for all the children in their schools. Local school boards finally recognize the need to repair deficiencies which they ignored as long as they affected only "Negro" schools. It is a striking fact that the Southern states that have largely completed the desegregation process have not experienced a white backlash, but have generally moved in an increasingly progressive direction on racial issues.

Nor is it true that black leaders in the North have uniformly turned away from integration. Even in New York, where the community control movement seems strongest, the movement grew out of the failure of city officials to keep promises about integrating the schools. In recent weeks, as New York has been divided into smaller school districts, there have been two major protests from black community groups arguing that the lines should be drawn to promote integration.

One needn't rely on impressions, however. Very extensive surveys of public opinion show that blacks overwhelmingly desire integration, particularly in the schools. In spite of five years of widely publicized black power oratory, and in spite of a dramatic growth in the feeling of black pride, the separatist movement has not shaken the desire to end segregation.

Last summer, a national survey conducted for *Newsweek* found a huge 8-1 black majority for integrated schools. A 1968 *Fortune* poll found 19 blacks in 20 favoring integration, as did a 1967 Chicago poll. A 1968 study of Detroit ghetto attitudes found less than 1 percent favoring separation and a major Survey Research Center study of black attitudes in 15 cities found only six percent of blacks supporting all-black schools.

Nor is white opinion as hostile to desegregation as Bickel assumes. The Supreme Court's decision had strong

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majority approval from the beginning. With the passage of time, white acceptance of the idea of integration has grown both in the North and in the South. Experience greatly diminishes racial fears. When President Kennedy first submitted his 1963 civil rights bill, a substantial majority of Southern whites opposed sending their children to schools with any black children. By 1966, when HEW had begun desegregation in virtually every Southern district, only one white parent in five objected to token integration. As early as 1958 most Northern white parents said they had no objection to enrolling their children in schools with large black enrollments.

Even more striking is very recent evidence on white attitudes about bussing. In spite of shameless exploitation of white fears on this issue by the Nixon Administration and many local politicians, a large Louis Harris survey published this January found that 50 percent of whites were willing to have black children bussed into their neighborhood schools. Contrary to the popular impression of monolithic resistance to bussing white kids into ghetto schools, fewer than three whites in five said they would be concerned about such a program. Recent calls by Senator Abraham Ribicoff and Hubert Humphrey for federal action against de facto segregation, together with the enactment of racial imbalance laws in Massachusetts and Connecticut and the issuance of a sweeping directive by the New Jersey Commissioner of Education, indicate some momentum toward a resolution of the issue. The historic February 11 California Superior court decision ordering an end to de facto segregation in the Los Angeles schools, together with suits filed during the past two years by the Justice Department, suggest the possibility of effective judicial intervention. Several dozen small and medium size Northern communities, according to HEW, have already voluntarily desegregated their schools through a variety of techniques including bussing and racial quotas. This record suggests that the real failure of vision is in the minds of intellectuals who simply assume that Americans are irredeemably racist.

It is true, as Bickel charges, that the only large-scale desegregation so far has been limited to the South. He neglects to explain, however, that the courts have yet to resolve the distinct legal and administrative problems raised by Northern segregation. Bickel's careless treatment of these differences resembles Senator John Stennis' effort to equate the problem of disestablishing a dual school system with that of ending segregation arising largely from housing patterns, thus blocking Southern desegregation.

The Executive branch has been slow in developing standards for Northern school desegregation. This hesitancy arises in part from the absence of any Supreme Court pronouncements on the issues involved, and the fact that some language prohibiting "racial balance" requirements was written into one title of the 1964 Civil Rights Act. More important restraints are lack of support from the White House and the memory of the disastrous 1965 attempt to withhold funds from the Chicago schools. Nevertheless, HEW has quietly collected extensive data on Northern segregation and has investigated and negotiated with several middle size Northern and Western towns. With Presidential and Congressional support, HEW could become a major force in desegregating Northern schools.

Southerners can accurately claim, at this time, that the schools of the rural South are more integrated than those of some major Northern cities. Most of the difference, however, is explained by the fact that there is little residential segregation in much of the rural South. Current federal policies provide no way to achieve long-term stable integration in the face of massive housing segregation in a large city. The difference arises not from discrimination against the South but from the fact that it is far easier to solve the legal and administrative questions raised by a small rural system. Most Southern cities are far smaller than the Northern metropolises containing the bulk of Northern blacks and only very recently, because of their history of having established and maintained unconstitutional duplicate school systems, have Southern cities been forced to take actions to overcome housing patterns.

Contrary to Bickel's suggestion that there is seething resentment across the rural South against desegregation, the process is largely complete and integrated schools are actively objected to only by small militant segregationist groups. The remarkable success of desegregation in many hundreds of communities which were firmly committed to segregation when

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THE 21ST ANNUAL NATIONAL BOOK AWARDS

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CHILDREN'S LITERATURE

VERA AND BILL CLEAVER—*Where the Lilies Bloom*, (Ill. by Jim Spanfeller). Lippincott EDNA MITCHELL PRESTON—*Pop Corn & Ma Goodness*, (Ill. by Robert Andrew Parker). Viking ISAAC BASHEVIS SINGER—*A Day of Pleasure*, Stories of a Boy Growing Up in Warsaw. Farrar, Straus & Giroux WILLIAM STEIG—*Sylvester and the Magic Pebble*, (Illustrated by the author). Windmill Books/ Simon & Schuster EDWIN TUNIS—*The Young United States 1783 to 1830*, (Illustrated by the author). World Publishing

FICTION

LEONARD GARDNER—*Fat City*. Farrar, Straus & Giroux LEONARD MICHAELS—*Going Places*. Farrar, Straus & Giroux JOYCE CAROL OATES *Them*. Vanguard Press JEAN STAFFORD—*The Collected Stories of Jean Stafford*. Farrar, Straus & Giroux KURT VONNEGUT, JR.—*Slaughter-house-Five or The Children's Crusade*. A Seymour Lawrence Book/ Delacorte Press

HISTORY AND BIOGRAPHY

DEAN ACHESON—*Present at the Creation*, My Years in the State Department. W. W. Norton TOWNSEND HOOPES—*The Limits of Intervention*. David McKay T. HARRY WILLIAMS—*Huey Long*. Alfred A. Knopf JOHN WOMACK, JR.—*Zapata and the Mexican Revolution*. Alfred A. Knopf GORDON S. WOOD—*The Creation of the American Republic, 1776-1787*. Univ. of North Carolina Press

PHILOSOPHY AND RELIGION

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POETRY

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the 1964 Civil Rights Act passed should encourage those pressing for an attack on racial separation in the North. Although no one knows the exact figures, it is estimated that approximately a third of Southern black students are now in schools with a majority of white students. The figure would be substantially higher if President Nixon had not delayed desegregation last year. Faculty integration, virtually nonexistent in 1964, is now commonplace. Desegregation will increase significantly this year.

This social revolution has taken place with only rare violence. It is highly irresponsible to judge the effort by the storm of public uproar when sudden change is imminent in the worst of the Deep South counties. In areas where political leaders have exploited racial fears, circulated dire prophecies, and held out false hopes that integration could be avoided, panic tends to sweep a community before desegregation is finally accomplished. In most areas, the transition has been quiet and the experience of integration has rapidly eroded the stereotypes upon which most resistance was based. During the last six years of tumultuous change, it has not been necessary to move federal troops into a single community to accomplish desegregation.

Much more notable than bitterness in the Deep South black belt has been the virtual disappearance of the school issue from active political discussion in much of the desegregated South. When President Nixon weakened desegregation standards last summer, he was attacked by the governor of Arkansas. When Spiro Agnew denounced bussing at last fall's Southern Governors Conference, the governors responded by straddling the issue in their resolution on the subject. In Virginia, where token desegregation once brought automatic school closings, the new governor, Linwood Holton, devoted his recent inaugural address to a promise to make the Old Dominion a model in race relations.

Not only does Bickel assume that whites will not tolerate integration, but he also questions the basic premise of the 1954 Supreme Court decision that separate schools are "inherently unequal." In dismissing this finding, Bickel ignores very substantial recent evidence that the Court was right. The only major national study of the impact of segregation, *Equality of Educational Opportunity*, found that black children in segregated schools were very highly motivated to learn, and yet the longer they stayed in separate schools the further they fell behind the achievement levels of black students in integrated schools. The typical graduate of a segregated high school had only a junior high education. The study suggested that schools tend to recapitulate the values of the student body they serve and that nothing so aided the achievement of a lower class student as his enrollment in a predominantly middle class school. Middle class children, whose education is influenced more by the home and less by the school, lose virtually nothing when a minority of poor children enter their school.

The educational advantages of integration are reinforced by psychological gains. Studies reported in the Civil Rights Commission's *Racial Isolation in the Public Schools* show a strong relationship between experience in integrated schools and improved racial attitudes. Integration also tends to improve black children's conceptions of their own abilities and to increase their confidence in themselves.

There is, on the other hand, virtually no evidence that remedial programs in the ghetto work. While most programs bring a brief improvement in school performance, the impact tends to fade rapidly. While schools can frequently be integrated for relatively little money by changing boundaries, renting busses, or carefully selecting sites for new facilities, most serious plans for improving ghetto education, such as New York's More Effective Schools program, are extremely expensive. These plans cannot be financed on any scale by the almost bankrupt central cities, nor is there any disposition in the state legislatures or in Washington to transfer massive funds from wealthy and politically dominant suburban areas to the ghettoes. Ghetto schools, like the black schools of the South, are often politically invisible to those who control the distribution of resources. Even if resources were available it is very doubtful that ghetto schools could successfully compete with middle class schools in preparing students for a middle class society and economy.

It is, I think, a mark of the racism of white intellectuals that there is so much support for spending billions for "headstart" nursery schools of very dubious value, such passionate arguments for community control programs

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which have no clear relationship to student achievement, and so little said about the urgent necessity of creating the maximum number of stably integrated schools.

One of the most shocking features of the Bickel article is its justification of the Nixon school desegregation policies as a sensible accommodation to white resistance. Actually much of the current bitterness and confusion in the Deep South school board offices is the direct result of cynical manipulation of the school issue by the President and his Attorney General.

During the Presidential campaign, and repeatedly since, Southern segregationists have been encouraged to hope that Nixon and Mitchell would succeed in reversing the desegregation process. There has been a total absence of Presidential leadership to help local officials to complete the task of enforcing the Constitution in the Deep South. Last July's announcement of weakened HEW desegregation standards and the Justice Department's efforts of the past six months to obtain court orders slowing desegregation destroyed the chance of orderly compliance at the beginning of the school year. These actions, together with a number of symbolic gestures including the Haynsworth and Carswell nominations, were calculated to undercut George Wallace. In the process they gravely undermined the position of responsible local schoolmen and reawakened the fighting spirit of the white supremacists. Schools are now experiencing the confusion of sudden mid-year desegregation because of the Justice Department's challenge to the Supreme Court in its handling of the Mississippi case. . . . School officials across the South report that every time the Administration indicated sympathy for delay they would be besieged by phone calls asking how localities could revoke previously agreed upon desegregation plans.

The particular danger of Mr. Bickel's article is its tendency to confirm what many white Americans want to believe – that they can stop worrying about the immensely difficult task of ending segregation in our society. In questioning the goal of integration, Bickel aids current opponents of the remarkable effort against entrenched bias now approaching success in the South. He underestimates the willingness of black and white Americans to support and extend the social revolution of this generation. He seriously discounts the elemental educational, social, and economic significance of rigid patterns of racial separation and implicitly suggests that Southern desegregation be postponed until the legal and practical problems of Northern segregation can be worked out. Rather than discussing possible solutions, he magnifies them and then assumes that they are beyond solution. It is true that few neighborhoods in big cities have achieved stably integrated schools, but it is also true that no big city has made this a primary objective. It is true that the small minority of Southern school systems with substantial black majorities face special problems, but it is also true that these districts frequently had neither the funds nor the enrollment to offer decent school programs in duplicate sets of schools. A basic attack on segregation would force to the forefront a host of difficult political problems. We would have to confront questions about the validity of school district boundary lines, the propriety of massive pupil transportation systems, the usefulness of fixed racial quotas, the need for a basically new type of multi-neighborhood school building, efforts to alter housing patterns, massive new federal aid programs, and a variety of other difficult issues. Unless we are to acquiesce in monumental inequality these are issues we must soon face.

This is no time for exhaustion. The need is for leadership with the courage and honesty to tell the people that we must face and solve the problem of segregated schools across the nation. A single society cannot be constructed on a base of separate and unequal schools.

Gary Orfield

Mr. Orfield teaches at the Woodrow Wilson School of Public and International Affairs in Princeton and is the author of The Reconstruction of Southern Education.

Professor Bickel has written a careful and thoughtful article. What has to be understood is that in our laudable quest to do away with a reprehensible policy and practice of legal racial segregation, we must at all times be mindful of other desirable normative goals. Structural desegregation, even where whites do not flee, is not essentially the only goal. We must be-

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come much more concerned with the kinds of instructional materials used in those classrooms; we must devote considerably more time and attention to teacher attitudes, lest we find that while the classrooms have white and black children together, they nonetheless will be exposed to the same materials and attitudes that informed a legally segregated system.

Likewise, it may be possible to bus children all over town, but do we seriously believe that this will facilitate parental involvement in the schools? Is it realistic to think that those parents will travel long distances to attend PTA meetings? I believe that education has to be seen as a family-community-centered affair, not simply as a child-oriented venture, and this is particularly true where we are talking about a black society that is striving to develop collectively, and not as individuals. The former goal is a normative value we must keep in mind as we try to devise ways to overcome the despicable policy of legal (or even de facto) segregation.

Let us make sure the *law* is clear, so there can be no *legal* impediment to those seeking to implement immediately a free and open society on their own. But let us also be aware of other equally desirable socio-political imperatives at this time, that there is a sound argument to be made for supporting new kinds of educational institutions of development and growth. This frequently gets obscured by the polemical charges of "black racism" and "separatism." But polemics are hardly useful in picking through to solutions of long-standing social problems.

Perhaps government policy could support – through subsidies for example – those parents (black and white) who want to transport their children to desegregated classrooms. I am sure there are such parents who feel it educationally and socially desirable to pursue such goals. And this is not to be confused with the discredited "freedom of choice" plans, which have as their goal the maintenance of segregation. Such support would be perfectly manageable, constitutional and probably not economically prohibitive, and it could insist that the substance of the education be tended to – non-racist materials, etc. It is possible to develop criteria for support quite consistent with *Brown v. Board*. That is, if the private choices result in perpetuating segregation, they would not be assisted by government support of any kind.

And at the same time, it is possible, as Professor Bickel says, to "proceed with education" by making *serious* commitments to upgrading the quality of education. The hard fact is that unless we tend to the latter in any case, desegregation will not matter. I have serious doubts about the efficacy of integrating little black children into some of those educationally racist classrooms. Thus, a policy of *quality* education is *not* (as so often posed) the antithesis of a desegregation policy. We have to tend to quality whether we *never* desegregate another classroom. And let it be clearly understood, I am talking about the all-white, as well as the all-black classrooms – a fact frequently overlooked in discussions of this subject. Educationally, this may well be a greater long-term contribution to a viable society than some mechanistic programs of desegregation now being formulated and tried.

Of course, if the society is not prepared to make such a *serious* commitment – and surely we know this is an open question – then I suspect we are all just playing at school, anyway.

Finally, my notions should not be interpreted as capitulating to segregationists. Those people must be fought at every turn. But in our determination to defeat them, let us not devise plans that are dysfunctional in other serious ways. The principle is a free and open society, and we can pursue several realistic routes to its achievements. Professor Bickel is correct.

Charles V. Hamilton

Mr. Hamilton, professor of political science at Columbia University, is co-author with Stokely Carmichael of Black Power: Politics of Liberation in America.

Sixteen years' effort to achieve meaningful school desegregation in the South – the conversion of dual school systems into unitary ones in which schools are not identifiable as "white" or "black" – has resulted only in a new-style duality: the all-black schools remain, but now there are also white schools peppered with handfuls of gutsy black children. The courts repeatedly warned that this would not do, that the Constitution required more. Now the courts seem done with warning. They mean business ("on very short deadlines" only for those who willfully turned a deaf ear in the past): the formerly all-black schools must be integrated or if they are uninhabitable they must be closed. And suddenly Mr. Bickel wants to turn back the clock.

First, he observes that when Negro children reach a certain proportion in a school the whites will try to flee. This seems largely accurate. Vigorous support for integration by local officials may halt the flight, but such courage and good faith are rare and cannot be ordered by the courts.

Second, Mr. Bickel asks whether there is any point in pressing for integration if the whites will in fact flee, leaving behind only more black schools. Mr. Bickel over-simplifies when he asserts that "a negative answer seems obvious"; but that is an article in itself, and for present purposes I will assume his answer to be correct.

Finally, Mr. Bickel asks whether we should stop the whites from fleeing where we can. In an unusual argument he concludes that we should not: the moral and political costs are too great.

But before we can decide whether

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the costs are too great, we must look at the other side of the balance sheet: What is to be gained, educationally or otherwise, by doing away with the dual school systems that pervade the South? Without ever addressing this question, Mr. Bickel assumes "that we don't really know what purpose would be served" by the venture. This cavalier assumption betrays a fundamental lack of understanding of the realities of Southern education.

Throughout much of the deep South – and especially in the most intractably segregated school systems – an education in a black school is, simply, no education at all. The facilities, the libraries and teaching materials, and often the teachers, are grossly inferior to those enjoyed by the white students. These black schools haven't yet faced the frustrations of obtaining effective remedial education – they're still after the medial. The students graduated from these schools are often illiterate.

In theory, of course, this shouldn't be – not even in a segregated school system. As a practical matter it cannot be otherwise. The white school boards care about the education of *their* children. They are not concerned with the quality of black schools, and it is as fanciful to expect their attitudes to change as it is to wait for the Negroes to gain political control.

Nor can the courts or HEW guarantee a decent education for students in separate all-black schools. The complexities of intradistrict allocation of educational resources would, as prior attempts have proved, require the full-time services of a lawyer (and, perhaps, an educational economist) to supervise each district, and would put an impossible burden on already overloaded district judges. (For documentation of HEW's present failure to prevent misuse of federal compensatory grants, see *Title I of ESEA: Is It Helping the Poor Children?* [1969], published jointly by the Washington Research Project and the NAACP Legal Defense and Educational Fund, Inc.)

However, a school board cannot effectively benefit a white child in a truly integrated school without at the same time benefiting the black child in the next seat. Integration renders many of the traditional forms of discrimination so difficult that a large degree of "voluntary" equalization becomes unavoidable.

Of course we should, as Mr. Bickel exhorts, put "energies and resources into training teachers." But without integration this is hollow advice: today's unqualified black teachers are the products of the very schools that Mr. Bickel wants to retain. Tomorrow's teachers can be no better – or will they be recruited only among the fortunate who attend "white" schools?

Mr. Bickel does not discuss these issues. Rather, he seems to sidestep them by emphasizing that Northern urban blacks are increasingly rejecting integration in favor of local, community-controlled schools. Such desires are not entirely absent in the South, but – despite the frustrations of years of unfulfilled promises – most black communities still seem to want integration. (The pressure for abolition of the dual school system has, after all, come mainly from Negro children and their parents, the plaintiffs in private lawsuits; integration is not something imposed by the Justice Department or HEW.) The Southern Negroes want quality education, and they have no illusions that their school boards would take seriously a plea for real community control.

Mr. Bickel ignores at least one other crucial entry on the balance sheet. We may assume, as he does, that there is no correlation between integration as such and educational achievement (a much mooted point). But can a black child, placed in an all-black school because whites find too many of his kind "distasteful," feel – has he any right to feel? – that he is being treated as a full citizen? Can our nation afford another generation of demi-citizens? Can it afford another generation of whites schooled in a delusive superiority and systematically isolated from those with whom the future must be shared?

Of course, this discussion is pointless if we can't stop the whites from running when the blacks come. But Mr. Bickel does not claim that we can't. Rather he separates the wealthy and urban (largely Northern) families from the poor and rural (largely Southern). He assumes (far too readily, I think) that the former will be able to avoid integration by moving to the suburbs or attending private schools. Most of the latter have no place to move; they cannot afford a private education without governmental assistance, and the courts can cut this off. With this distinction in hand, Mr. Bickel asks rhetorically, and answers negatively: "On a normative level, is it right to require a small *(sic)*, rural and relatively poor segment of the national population to submit to a kind of schooling that is disagreeable to them . . . when we do not impose such schooling on people in cities and in other regions, who would also dislike it . . .?" Mr. Bickel asserts, in other words, that it is *unfair* to inflict school integration on the South if we cannot do the same to the North.

Underlying Mr. Bickel's question and answer is an amazing assumption – amazing because it flies in the face not only of the *School Desegregation Cases* themselves, but of every civil rights decision and legislative enactment of the past decade-and-a-half. If our commitment to racial justice means anything, it means that as between the *constitutional rights* of Negroes and the *sensibilities* of whites, there can be no contest. The question Mr. Bickel doesn't ask but should is: May black children in the South be denied the

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right to an integrated and equal education when we have the means to provide it, merely because we lack the means to provide the same thing for some or many black children in the North? To suggest that we must not remedy part of an evil because other parts seem insoluble is to deny the possibility of progress. In the present context it is to assert that two wrongs destroy a constitutional right. (Mr. Bickel's makeweight argument that the outraged feelings of Southern whites will "fuel the politics of George Wallace" merits only the admission that it is correct: doubtless we could win away some of Wallace's supporters by giving them now what he promises to give them in the future.)

Integration will not come easily to the deep South, and it will not automatically assure black children an equal education. The South has been imaginatively evasive for many years, and it will not stop now. (Some districts are already experimenting with devices for resurrecting segregation within an integrated school.) But, again, it is precisely in districts whose whites are most adamantly opposed to integration that the prospect for a decent, a *minimal*, education in the all-black schools is most hopeless. And, it should be added, we can no longer abolish dual school systems "gradually." Not because sixteen years is already too late, though of course it is. But because what remains to be done is to integrate the formerly all-black schools, and the assignment of a few white students at a time to those schools imposes greater hardships than does getting the job over with at once.

We cannot, with integrity, hold out the promise of a decent education for all American children and at the same time ask the black children of the South to rest content with separate schools. Our temporizing has already damaged countless children, and has impeded acceptance of integration by encouraging whites to believe that it could be indefinitely postponed. So let us, indeed, try to proceed with education. And to that end, let us complete the job of integration as quickly as possible.

Paul Brest

Mr. Brest is an Assistant Professor at Stanford Law School. He was an attorney with the NAACP Legal Defense and Educational Fund, Inc., in Jackson, Mississippi, from 1966-68.

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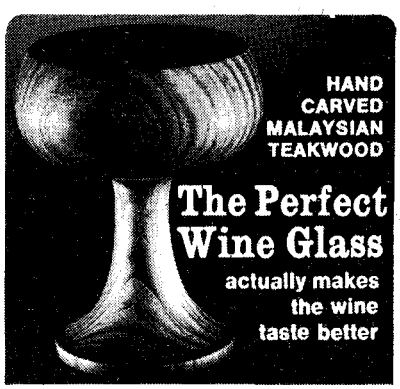

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Kauffmann, *from page 24*

Karl Malden is, once again, uninteresting as General Bradley. (Bradley himself was military advisor on the film.) All the British and German commanders except Rommel are portrayed as noodles.

The violence in this film is a very different matter from the violence in, say, *Bonnie and Clyde* and *The Wild Bunch*. *Patton* is about a man whose profession is to get other people to act as vicars for his violent urges, and it makes a clear point that it presumably did not intend. For generals, peace is hell.

The first thing we see is a fountain, spurting; the next is a bidet, spurting; and away we go on Joseph Strick's film tour of *Tropic of Cancer*. These two shots symbolize the whole picture. The world of Paris and what Henry Miller called the world of fuck are all that Strick's film is concerned with. Heaven knows (if that's the right reference) that those elements are prominent in Miller's novel. But Strick has used the same principle here that he used in his abortion of Joyce's *Ulysses:* he has picked a famous and respected novel with lots of sex in it and has been chiefly faithful to the sex. The damage in this case is much less than with *Ulysses* because Miller's novel is very much smaller than Joyce's in every sense, so there simply is less to omit, but the formula is the same: find a critically celebrated sexy book, and under the guise of homage, exploit the sex.

Consequently, we see a parade of breasts and of female pubic hair, and we hear – often – all of Miller's four-letter words, plus one particularly vivid six-letter one. ("Squish.") All the material has been taken from the novel (which I reviewed here on its first American publication, July 10, 1961). So, too, are a few passages of non-sexual ruminative prose including the book's conclusion. But the sum is a long way from representing the novel, because Strick has left out Miller.

There is no hint in this film of the two most important elements in the book, from which everything else proceeds. First, the hero – Miller – is a writer. Strick gives us not the slightest touch of this. Second, he has come to Paris to write, as an escape from America, which he loathes. He loathes a lot about Europe, too, but Paris is freedom, America is prison, here is where he can fulfill himself as artist and man; and his sexual gallivanting is part of his declaration of artistic and environmental release, after almost forty years of slavery and constriction. All the film shows us is an amiable fellow, drifting around Paris, mooching on his friends, laying girls.

This leads to another defect. As he did with *Ulysses*, Strick has updated *Tropic of Cancer* to the present. Not credible. First, the group of American expatriates do not seem like contemporary men, in manner or thought; they have a Hemingway-Fitzgerald air to them. Second, the sexual liberation of France *vis-à-vis* the US is very much less marked in 1970 than in 1930, both in life and literature. The tone of the present has a cracked ring.

Some credit goes to Strick and to the co-author of the script, Betty Botley, because they have not tried to impose a formal story on Miller's rhapsody of flow. They have rearranged and reassigned some material, but have tried to keep a sense of ease and happenstance. And, admittedly, the film does get some humor from time to time by reason of the glandular pitch at which it operates. But when Strick gives us the nonsexual passages on the soundtrack, he resorts to obvious Terry Southernist touches, showing us shots of tanks and soldiers and parades, thus considerably straitening Miller's larger intent in his remarks about the hollowness and dissatisfaction of life. And of course Strick uses by-now platitudinous modern editing: jump-cuts à la Godard in the middle of sequences, plus glimpses of events past or to come.

We get a quick look at old Henry Miller himself in one montage; the young Miller is played by Rip Torn, with some of the appealing goofiness that he showed in *Coming Apart*. (Those two pictures must now make him Filmland's champion copulation-simulator.) But the best performance is by James Callahan as Fillmore, the American who cracks up and has to go home.

The presence of lots of girls who have lots of everything clarifies something about the novel that is even clearer in the picture. The sexual viewpoint is pure male-chauvinist; the girls are, or might as well be, faceless. To Miller, Paris is a harem, and he is a newly crowned sultan sweating to make up for lost tail. This view of woman-as-utensil is much more apparent now in these days of the female revolution, and it is underscored by Strick's lavish, impersonal display of women's liberated fronts.

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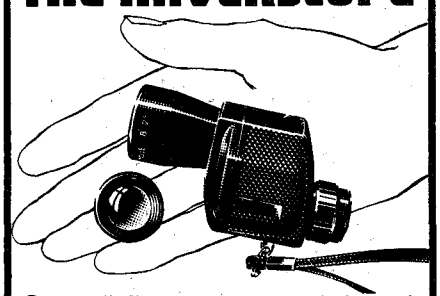

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